

United States District Court  
NORTHERN DISTRICT OF CALIFORNIA

FIRIBA ACHEKZAI; MOHAMMAD HAMID  
RAHIMI

**SUMMONS IN A CIVIL CASE**

CASE NUMBER:

*EDL*

v.

Condoleezza Rice, Michael Chertoff, Michael  
Chang, Robert Mueller III, Michael Mukasey

*CV 08*

*1058*

TO: (Name and address of defendant)

Condoleezza Rice, Secretary of State, U.S. Department of State 2201 C St., NW, Washington, D.C. 20520  
Robert Mueller, Director of FBI, J. Edgar Hoover Bldg., 935 Pennsylvania Ave. NW, Washington, D.C. 20535  
Michael B. Mukasey, Attorney General, U.S. Department of Justice, 950 Pennsylvania Ave., NW,  
Washington, D.C. 20530---Michael Chang, Consul General, U.S. Embassy Pakistan, Diplomatic Enclave,  
Rama 5, Islamabd, Pakistan---Michael Chertoff, Secretary of the Department of Homeland Security, U.S.  
Department of Homeland Security, Washington, D.C. 20528

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Mary Beth Kaufman, Esq., Law Office of Jill Stanton, 400 Montgomery St., Suite 810, San Francisco, CA  
94104

an answer to the complaint which is herewith served upon you, within 60 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgement by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Richard W. Wieking

CLERK

Helen L. Almacen

*FEB 21 2008*

DATE \_\_\_\_\_

<b>RETURN OF SERVICE</b>		
Service of the Summons and Complaint was made by me <sup>1</sup>		DATE
Name of SERVER		TITLE
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served Personally upon the Defendant. Place where served:    <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:    <input type="checkbox"/> Returned unexecuted:    <input type="checkbox"/> Other (specify):    		
<b>STATEMENT OF SERVICE FEES</b>		
TRAVEL	SERVICES	TOTAL
<b>DECLARATION OF SERVER</b>		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____</p> <p style="text-align: center;">_____ Date</p> <p style="text-align: center;">_____ Signature of Server</p> <p style="text-align: center;">_____ Address of Server</p>		
<p>(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure</p>		

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON PAGE TWO OF THE FORM.)

## I. (a) PLAINTIFFS

Firiba Achekzai: Mohammad Hamid Rahimi

## DEFENDANTS

Secretary of State Condoleeza Rice, Secretary of DHS Michael Chertoff; Consul General, Islamabad, Pakistan, Michael Chang; Director of FBI Robert S. Mueller; Attorney General Michael Mukasey

(b) County of Residence of First Listed Plaintiff  
(EXCEPT IN U.S. PLAINTIFF CASES)

## County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

## (c) Attorney's (Firm Name, Address, and Telephone Number)

## Attorneys (If Known)

Mary Beth Kaufman, Esq. Law Offices of Jill Stanton, 400 Montgomery Street, Suite 810, San Francisco, CA 94104

United States Attorneys Office, 450 Golden Gate Avenue, 9th Fl, San Francisco, CA 94102

EDL

ADR

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

1 U.S. Government Plaintiff  3 Federal Question (U.S. Government Not a Party)

2 U.S. Government Defendant  4 Diversity (Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
110 Insurance	PERSONAL INJURY	PERSONAL INJURY	610 Agriculture	400 State Reapportionment
120 Marine	310 Airplane	362 Personal Injury—Med. Malpractice	620 Other Food & Drug	410 Antitrust
130 Miller Act	315 Airplane Product Liability	365 Personal Injury—Product Liability	625 Drug Related Seizure of Property 21 USC 881	430 Banks and Banking
140 Negotiable Instrument	320 Assault, Libel & Slander	368 Asbestos Personal Injury Product Liability	630 Liquor Laws	450 Commerce
150 Recovery of Overpayment & Enforcement of Judgment	330 Federal Employers' Liability	370 Other Fraud	640 R.R. & Truck	460 Deportation
151 Medicare Act	340 Marine	371 Truth in Lending	650 Airline Regs.	470 Racketeer Influenced and Corrupt Organizations
152 Recovery of Defaulted Student Loans (Excl. Veterans)	345 Marine Product Liability	380 Other Personal Property Damage	660 Occupational Safety/Health	480 Consumer Credit
153 Recovery of Overpayment of Veteran's Benefits	350 Motor Vehicle	385 Property Damage Product Liability	690 Other	490 Cable/Sat TV
160 Stockholders' Suits	355 Motor Vehicle Product Liability			510 Selective Service
190 Other Contract	360 Other Personal Injury			850 Securities/Commodities/Exchange
195 Contract Product Liability				875 Customer Challenge
196 Franchise				12 USC 3410
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	SOCIAL SECURITY	
210 Land Condemnation	441 Voting	510 Motions to Vacate Sentence	861 HIA (1395ff)	
220 Foreclosure	442 Employment	Habeas Corpus:	862 Black Lung (923)	
230 Rent Lease & Ejectment	443 Housing/ Accommodations	530 General	863 DIWC/DIWW (405(g))	
240 Torts to Land	444 Welfare	535 Death Penalty	864 SSID Title XVI	
245 Tort Product Liability	445 Amer. w/Disabilities - Employment	540 Mandamus & Other	865 RSI (405(g))	
295 All Other Real Property	446 Amer. w/Disabilities - Other	550 Civil Rights		
	440 Other Civil Rights	555 Prison Condition		
IMMIGRATION			FEDERAL TAX SUITS	
			870 Taxes (U.S. Plaintiff or Defendant)	
			871 IRS—Third Party	
			26 USC 7609	
VI. CAUSE OF ACTION	Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 5 U.S.C. 28 U.S.C. Section 1361 (Administrative Procedures Act); 28 U.S.C. Section 1361 (Mandamus Act)			
	Brief description of cause: Allows suit when Plaintiff is aggrieved by agency action or inaction.			
VII. REQUESTED IN COMPLAINT:	<input type="checkbox"/> CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23		DEMAND \$	CHECK YES only if demanded in complaint: JURY DEMAND: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
VIII. RELATED CASE(S) IF ANY	PLEASE REFER TO CIVIL L.R. 3-12 CONCERNING REQUIREMENT TO FILE "NOTICE OF RELATED CASE"			
IX. DIVISIONAL ASSIGNMENT (CIVIL L.R. 3-2) (PLACE AND "X" IN ONE BOX ONLY)	<input checked="" type="checkbox"/> SAN FRANCISCO/OAKLAND		<input type="checkbox"/> SAN JOSE	
DATE 2/21/2008	SIGNATURE OF ATTORNEY OF RECORD			

1 Mary Beth Kaufman, Esq. (SBN 228570)  
2 Law Offices of Jill Stanton  
3 400 Montgomery Street, Suite 810  
4 San Francisco, CA 94104  
5 Phone: (415) 392-6161  
6 Fax: (415) 392-8208

7 Attorneys for Plaintiffs

(AJ)  
FEB 21 2008  
NORTHERN DISTRICT OF CALIFORNIA  
EDL

7 UNITED STATES DISTRICT COURT

8 FOR THE NORTHERN DISTRICT OF CALIFORNIA

9 SAN FRANCISCO, CALIFORNIA

10 FIRIBA ACHEKZAI; MOHAMMAD  
11 HAMID RAHIMI,

12 Plaintiffs,

13 vs.

14 CONDOLEEZA RICE, Secretary of State;

15 MICHAEL CHERTOFF, Secretary,  
16 Department of Homeland Security;

17 MICHAEL CHANG, Consul  
18 General, United States Embassy  
19 Islamabad, Pakistan;

20 ROBERT S. MUELLER III, Director,  
21 Federal Bureau of Investigation;

22 MICHAEL MUKASEY, Attorney General,

23 Defendants.

24 ) No. 08-1058

25 )

26 ) COMPLAINT FOR WRIT  
27 ) IN THE NATURE OF MANDAMUS

28 ) "Immigration Case"

## **PRELIMINARY STATEMENT**

1. Plaintiffs, FIRIBA ACHEKZAI (“Ms. Achekzai”) and her husband, MOHAMMAD HAMID RAHIMI (Mr. Rahimi”) hereby bring this action against the Defendants to compel action on Mr. Rahimi’s immigrant visa application, based on the approved immigrant petition filed by his wife, Ms. Achekzai. The application remains within the jurisdiction of the Defendants, who have improperly withheld action on said application to Plaintiffs’ detriments.

## PARTIES

2. Plaintiff Firiba Achekzai is a 41-year old naturalized United States citizen. She petitioned to immigrate her husband, Plaintiff Mohammad Hamid Rahimi, as an immediate relatives on March 2, 2005. The petition was approved, and forwarded to the United States embassy in Karachi, Pakistan for processing in September of 2005.

3. Plaintiff Mohammad Hamid Rahimi is a 34-year old native and citizen of Afghanistan. His wife's petition for him has been approved, a visa is immediately available, and all paperwork and interviews have been completed. Since his final interview, he has been waiting for over two years for a decision to be made on his application.

4. Defendant Condoleezza Rice is sued in her official capacity as Secretary of State of the United States. She is charged with the issuance of visas under the

1 Immigration and Nationality Act (“INA”).

2 5. Defendant Michael Chertoff is sued in his official capacity as the Secretary  
3 of the United States Department of Homeland Security (“DHS”). Secretary  
4 Chertoff is responsible for administration and enforcement of the Immigration and  
5 Nationality Act and is further authorized to delegate such powers and authority to  
6 subordinate employees of DHS. 8 U.S.C. § 1103; 8 C.F.R. 2.1.

7 6. Defendant Michael Chang is the Consul General of the United States  
8 Embassy in Islamabad, Pakistan and he is charged with the authority to adjudicate  
9 and make decisions on immigrant visa applications.

10 7. Defendant Robert Mueller, III, is the Director of the Federal Bureau of  
11 Investigation (“FBI”) and is sued in his official capacity, as the person charged  
12 with the administration of the FBI and with providing criminal background  
13 information, if any, relating to applications for permanent residency.

14 8. Defendant Michael Mukasey is sued in his official capacity as the Attorney  
15 General of the United States Department of Justice, to the extent that he is charged  
16 with the administration of the Department of Justice, which includes the FBI, and  
17 has responsibility for providing access to criminal history information pursuant to  
18 8 U.S.C. §§ 1105(b); 1103(g).

19 **JURISDICTION**

20 9. Jurisdiction in this case is proper under 28 U.S.C. §§ 1331 and 1336 (federal  
21  
22  
23  
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28

1 question jurisdiction) because Plaintiff's claims arise under the laws of the United  
2 States. Additionally, this Court may grant injunctive, declaratory, and/or  
3 mandamus relief in this action under 5 U.S.C. § 701 et seq. (Administrative  
4 Procedures Act), 28 U.S.C. §1361 (Mandamus Act), 28 U.S.C. §1651 (All Writs  
5 Act), and under 28 U.S.C. § 2201 (Declaratory Judgment Act). Relief is requested  
6 pursuant to said statutes.

7

8 **VENUE**

9

10 10. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(e) (action  
11 against officers of the United States may be brought in any district where "a  
12 substantial part of the events or omissions giving rise to the claim occurred" or  
13 where "the plaintiff resides"). Ms. Acheczai resides in Elk Grove, California,  
14 which is within the Northern District of California.

15

16 **FACTS**

17

18 **A. The Immigration Process**

19

20 11. The Immigration and Nationality Act ("INA") provides that a United States  
21 citizen may apply to immigrate their parents as "immediate" relatives. INA  
22 201(b)(2)(A)(ii); 8 U.S.C. 1151. There is no cap on the number of visas issued by  
23 the Department of State annually for immediate relatives. *Id.* Once a petition for  
24 an immediate relative has been approved, it is forwarded to the National Visa  
25 Center for further processing of the visa application. The National Visa Center  
26

1 then forwards the application to the appropriate consulate for final processing. The  
2 applicant submits to a medical exam and an interview, and a visa is usually issued  
3 thereafter within 1-2 months once security clearances have been completed.  
4

5 Under 22 C.F.R. § 42.81, “[w]hen a visa application has been properly  
6 completed and executed before a consular officer in accordance with the provision  
7 of INA and the implementing regulations, the consular officer shall either issue or  
8 refuse the visa.” This section of the regulations is entitled “Issuance or refusal  
9 mandatory.” 22 C.F.R. § 42.81(b) sets out the “Refusal procedure” for visa  
10 applications, which includes informing the applicant of the provision of law or  
11 implementing regulation on which the refusal is based.  
12

13 **B. Mr. Rahimi’s Immigrant Visa Application**

14 12. Petitioner Firiba Achezkai petitioned to immigrate her husband,  
15 Mohammad Hamid Rahimi on March 2, 2005. Exhibit (“Exh.”) 1 (*I-130 Visa*  
16 *Petition and Receipt*). The petition was approved on May 19, 2005. Exh. 2 (*Visa*  
17 *Petition Approval*). The National Visa Center requested documentation and fees,  
18 all of which were timely submitted. Exh. 3 (*NVC Correspondence Excerpts*). The  
19 application was forwarded to the United States consulate in Islamabad, Pakistan  
20 for processing on September 22, 2005. Exh. 4 (*NVC Transfer to Consulate*).  
21

22 13. Mr. Rahimi was interviewed in February of 2006. He was told that  
23 everything was approved, but that his name check had not cleared, and that he  
24

1 should return in 45 to 60 days. Exh. 5 (*Inquiries 2006-2008*). Since that time, Ms.  
2 Achezkai has made dozens of inquiries into the status of her husband's application,  
3 through her previous attorney and through her Congressional Representatives. *Id.*  
4 The replies from the consulate to date that the case is pending "administrative  
5 review" as part of the security clearance procedure and that the maximum time can  
6 be "indefinite." *Id.*

7  
8  
9 14. Mr. Rahimi's application has been pending for *over two years* since the  
10 date of his interview.  
11

12 15. In response to Petitioners' numerous inquiries with the United States  
13 Embassy in Islamabad, Petitioners have only been informed that Mr. Rahimi's  
14 approval is pending. To date, over two years after his consular interview, Mr.  
15 Rahimi is still awaiting a decision on his application for an immigrant visa. At this  
16 point, a "security name check" seems to be the only reason for the delay of Mr.  
17 Rahimi's application, and he has been told the wait is now "indefinite."  
18

19 16. On February 4, 2008, the Department of Homeland Security issued an  
20 Interoffice Memorandum entitled "Revised National Security Adjudication and  
21 Reporting Requirements." Exh. 6 (*Department of Homeland Security*  
22 *Memorandum, HQ 70/23 & 70/28.1*). According to recommendations of the DHS  
23 Office of the Inspector General, where the application is otherwise approvable and  
24 the FBI name check request has been pending for more than 180 days, the  
25  
26  
27  
28

adjudicator shall approve the application.

## **CAUSES OF ACTION**

**FIRST CAUSE OF ACTION**  
**(MANDAMUS)**

18. The allegations contained in paragraphs 1 through 19 are repeated and incorporated herein.

19. Mr. Rahimi's immigrant visa application has been pending for several years due to untimely performance of Mr. Rahimi's security checks.

20. Pursuant to 28 U.S.C. § 1361, this Court has jurisdiction to compel Defendants to complete necessary background checks and provide the results of those checks to this Court.

**SECOND CAUSE OF ACTION**  
**(ADMINISTRATIVE PROCEDURE ACT)**

21. The allegations contained in paragraphs 1 through 19 are repeated and incorporated herein.

22. Plaintiffs have been aggrieved by agency action under the Administrative Procedure Act, 5 U.S.C. §§ 701, *et seq.* Defendants' failure to act in this case is, as a matter of law, arbitrary and not in accordance with the law. Defendants have unreasonably delayed and refused to adjudicate Mr. Rahimi's application for over two years since the final consular interview. Defendants have "unlawfully

1 withheld or unreasonable delayed" agency action in violation of 5 U.S.C. § 706(1),  
2 depriving Plaintiffs of the right to the decision on their applications.  
3

4 23. Plaintiffs have been damaged by the failure of Defendant to act in  
5 accordance with their duties under the law. Plaintiff Firiba Acheatzai has been  
6 unduly separated from her husband for several years. She has suffered emotional  
7 and financial hardship as a result.  
8

9 **PRAYER FOR RELIEF**  
10

11 WHEREFORE, Plaintiff prays that this Court grant the following relief:  
12

13 (1) Assume jurisdiction over the matter;  
14  
15 (2) Compel the completion and immediate release of Plaintiff Mohammad  
16 Rahimi's background check results;  
17  
18 (3) Compel Defendants to expeditiously process Mr. Rahimi's application  
19 for an immigrant visa to conclusion;  
20  
21 (4) Award Plaintiff his costs and fees pursuant to the Equal Access to  
22 Justice Act (EAJA), 28 U.S.C. § 2412; and  
23  
24 (5) Grant such further relief as the Court deems just and proper.  
25

26 Dated: January 11, 2007  
27  
28

Respectfully Submitted,



Mary Beth Kaufman, Esq.  
Law Offices of Jill Stanton  
Attorneys for Plaintiffs

# EXHIBIT 1



RECEIPT NUMBER WAC-05-106-54109		CASE TYPE I130 IMMIGRANT PETITION FOR RELATIVE, FIANCE(E), OR ORPHAN
RECEIVED DATE March 2, 2005	PRIORITY DATE	PETITIONER A72 085 341 ACHEKZAI, FIRIBA
NOTICE DATE March 8, 2005	PAGE 1 of 1	BENEFICIARY RAHIMI, MOHAMMAD H.
NADIA FARAH ESQ LAW OFFICES OF NADIA FARAH RE: FIRIBA ACHEKZAI 39159 PASEO PADRE PKWY 211 FREMONT CA 94538		Notice Type: Receipt Notice  Amount received: \$ 185.00  Section: Husband or wife of U.S. Citizen, 201(b) INA

**Receipt notice** - If any of the above information is incorrect, call customer service immediately.

**Processing time** - Processing times vary by kind of case.

- You can check our current processing time for this kind of case on our website at [uscis.gov](http://uscis.gov).
- On our website you can also sign up to get free e-mail updates as we complete key processing steps on this case.
- Most of the time your case is pending the processing status will not change because we will be working on others filed earlier.
- We will notify you by mail when we make a decision on this case, or if we need something from you. If you move while this case is pending, call customer service when you move.
- Processing times can change. If you don't get a decision or update from us within our current processing time, check our website or call for an update.

If you have questions, check our website or call customer service. Please save this notice, and have it with you if you contact us about this case.

**Notice to all customers with a pending I-130 petition** - USCIS is now processing Form I-130, Petition for Alien Relative, as a visa number becomes available. Filing and approval of an I-130 relative petition is only the first step in helping a relative immigrate to the United States. Eligible family members must wait until there is a visa number available before they can apply for an immigrant visa or adjustment of status to a lawful permanent resident. This process will allow USCIS to concentrate resources first on cases where visas are actually available. This process should not delay the ability of one's relative to apply for an immigrant visa or adjustment of status. Refer to [www.state.gov/travel](http://www.state.gov/travel) <<http://www.state.gov/travel>> to determine current visa availability dates. For more information, please visit our website at [www.uscis.gov](http://www.uscis.gov) or contact us at 1-800-375-5283.

Always remember to call customer service if you move while your case is pending. If you have a pending I-130 relative petition, also call customer service if you should decide to withdraw your petition or if you become a U.S. citizen.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

IMMIGRATION & NATURALIZATION SERVICE  
CALIFORNIA SERVICE CENTER  
P. O. BOX 30111  
LAGUNA NIGUEL CA 92607-0111  
Customer Service Telephone: (800) 375-5283



Law Offices of...

Nadia Farah

February 17, 2005

39159 Pasco Padre Pkwy.

Suite 211

Fremont, CA 94538

**VIA CERTIFIED MAIL** Tel: 510.494.8156  
Fax: 510.494.8158

U.S. Department of Homeland Security  
 California Service Center  
 P.O. Box 10130  
 Laguna Niguel, CA 92607-0130

**RE: PETITIONER: FIRIBA ACHEKZAI**  
**BENEFICIARY: MOHAMMAD HAMID RAHIMI**

Dear Sir or Madam:

This office represents the above-referenced petitioner with respect to her I-130 petition for her husband. Enclosed please find your form G-28 signed by Ms. Achezkai along with the following documentation:

1. Your Form I-130 (Petition for Alien Relative) signed by Ms. Achezkai.
2. Your Form G-325A (Biographic Information) for Ms. Achezkai.
3. Your Form G-325A (Biographic Information) for Mr. Rahimi.
4. A copy of Ms. Achezkai's Citizenship Certificate and U.S. Passport.
5. A copy of Mr. Rahimi's birth certificate.
6. A translated copy of Mr. Rahimi and Ms. Achezkai's marriage certificate.
7. One (1) photograph of Ms. Achezkai.
8. One (1) photograph of Mr. Rahimi.
9. A check in the amount of \$185.00.

Please process this matter immediately. If you have any questions, please do not hesitate to contact our office. Thank you for your courtesy and anticipated cooperation.

Sincerely,

NADIA FARAH  
 NF/as  
 Encl.

3532  
 9717  
 0002  
 0005  
 0003  
 7003

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U.S. Department of Justice  
Immigration and Naturalization Service

Notice of Entry of Appearance  
as Attorney or Representative

**Appearances** - An appearance shall be filed on this form by the attorney or representative appearing in each case. Thereafter, substitution may be permitted upon the written withdrawal of the attorney or representative of record or upon notification of the new attorney or representative. When an appearance is made by a person acting in a representative capacity, his personal appearance or signature shall constitute a representation that under the provisions of this chapter he is authorized and qualified to represent. Further proof of authority to act in a representative capacity may be required. **Availability of Records** - During the time a case is pending, and except as otherwise provided in 8 CFR 103.2 (b), a party to a proceeding or his attorney or representative shall be permitted to examine the record of proceeding in a Service office. He may, in conformity with 8 CFR 103.10, obtain copies of Service records or information therefrom and copies of documents or transcripts of evidence furnished by him. Upon request, he/she may, in addition, be loaned a copy of the testimony and exhibits contained in the record of proceeding upon giving his/her receipt for such copies and pledging that it will be surrendered upon final disposition of the case or upon demand. If extra copies of exhibits do not exist, they shall not be furnished free on loan; however, they shall be made available for copying or purchase of copies as provided in 8 CFR 103.10.

In re: I-130	Date: 02/08/2005
	File No. 72 085 341

I hereby enter my appearance as attorney for (or representative of), and at the request of the following named person(s):

Name: FIRIBA ACHEKZAI	<input checked="" type="checkbox"/> Petitioner <input type="checkbox"/> Beneficiary	<input type="checkbox"/> Applicant	
Address: (Apt. No.) (Number & Street) 6316 Livorno Way	(City) Elk Grove	(State) California	(Zip Code) 95757
Name:	<input type="checkbox"/> Petitioner <input type="checkbox"/> Beneficiary	<input type="checkbox"/> Applicant	
Address: (Apt. No.) (Number & Street)	(City)	(State)	(Zip Code)

Check Applicable Item(s) below:

<input checked="" type="checkbox"/> 1. I am an attorney and a member in good standing of the Supreme Court of the United States or of the highest court of the following State, territory, insular possession, or District of Columbia  California Supreme Court (154599) _____ and am not under a court or administrative agency order suspending, enjoining, restraining, disbarring, or otherwise restricting me in practicing law.
<input type="checkbox"/> 2. I am an accredited representative of the following named religious, charitable, social service, or similar organization established in the United States and which is so recognized by the Board:
<input type="checkbox"/> 3. I am associated with the attorney of record previously filed a notice of appearance in this case and my appearance is at his request. (If you check this item, also check item 1 or 2 whichever is appropriate.)
<input type="checkbox"/> 4. Others (Explain Fully.)  _____  _____  _____

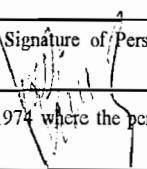
SIGNATURE 	COMPLETE ADDRESS Law Offices of Nadia Farah 39159 Pasco Padre Pkwy. #211 Fremont, California 94538
NAME (Type or Print) Nadia Farah, Esq.	TELEPHONE NUMBER (510) 494-8156

PURSUANT TO THE PRIVACY ACT OF 1974, I HEREBY CONSENT TO THE DISCLOSURE TO THE FOLLOWING NAMED ATTORNEY OR REPRESENTATIVE OF ANY RECORD PERTAINING TO ME WHICH APPEARS IN ANY IMMIGRATION AND NATURALIZATION SERVICE SYSTEM OF RECORDS:

Nadia Farah, Esq.

(Name of Attorney or Representative)

THE ABOVE CONSENT TO DISCLOSURE IS IN CONNECTION WITH THE FOLLOWING MATTER:

Name of Person Consenting FIRIBA ACHEKZAI	Signature of Person Consenting 	Date 02/08/2005
(NOTE: Execution of this box is required under the Privacy Act of 1974 where the person being represented is a citizen of the United States or an alien lawfully admitted for permanent residence.)		



**C. Information about your alien relative (continued)**

17. List husband/wife and all children of your relative.

(Name)

(Relationship)

(Date of Birth) (Country of Birth)

NONE

18. Address in the United States where your relative intends to live.

(Street Address)

(Town or City)

(State)

6316 Livorno Way

Elk Grove

California

19. Your relative's address abroad. (Include street, city, province and country)

Hashtnagar Travel Ag. 11A, Diljan Plaza, Shnneri Masjid Rd.

Phone Number (if any)

Peshawar

Pakistan

20. If your relative's native alphabet is other than Roman letters, write his or her name and foreign address in the native alphabet.

(Name)

Address (Include street, city, province and country):

21. If filing for your husband/wife, give last address at which you lived together. (Include street, city, province, if any, and country):

From: To:

(Month) (Year) (Month) (Year)

22. Complete the information below if your relative is in the United States and will apply for adjustment of status

Your relative is in the United States and will apply for adjustment of status to that of a lawful permanent resident at the office of the Immigration and Naturalization Service in \_\_\_\_\_ If your relative is not eligible for adjustment of status, he or she

(City) (State)

will apply for a visa abroad at the American consular post in Islamabad

Pakistan

(City) (Country)

NOTE: Designation of an American embassy or consulate outside the country of your relative's last residence does not guarantee acceptance for processing by that post. Acceptance is at the discretion of the designated embassy or consulate.

**D. Other information**

1. If separate petitions are also being submitted for other relatives, give names of each and relationship.

None

2. Have you ever filed a petition for this or any other alien before?  Yes  No

If "Yes," give name, place and date of filing and result.

WARNING: INS investigates claimed relationships and verifies the validity of documents. INS seeks criminal prosecutions when family relationships are falsified to obtain visas.

PENALTIES: By law, you may be imprisoned for not more than five years or fined \$250,000, or both, for entering into a marriage contract for the purpose of evading any provision of the immigration laws. In addition, you may be fined up to \$10,000 and imprisoned for up to five years, or both, for knowingly and willfully falsifying or concealing a material fact or using any false document in submitting this petition.

YOUR CERTIFICATION: I certify, under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct. Furthermore, I authorize the release of any information from my records which the Immigration and Naturalization Service needs to determine eligibility for the benefit that I am seeking.

**E. Signature of petitioner.**

Date 02/08/2005

Phone Number (916) 714-9271

**F. Signature of person preparing this form, if other than the petitioner.**

I declare that I prepared this document at the request of the person above and that it is based on all information of which I have any knowledge.

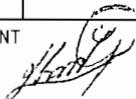
Print Name Nadia Farah, Esq.Signature 

Date 02/08/2005

Address Law Offices of Nadia Farah, 39159 Pasco PadreG-28 ID or VOLAG Number, if any. 154599

U.S. Department of Justice  
Immigration and Naturalization Service

OMB No. 1115-0066  
**BIOGRAPHIC INFORMATION**

(Family name)	(First name)	(Middle name)	<input checked="" type="checkbox"/> MALE	BIRTHDATE (Mo.-Day-Yr.)	NATIONALITY	FILE NUMBER
RAHIMI	Mohammad	Hamid	<input type="checkbox"/> FEMALE	04/10/1973	Afghan	A- None
ALL OTHER NAMES USED (including names by previous marriages)			CITY AND COUNTRY OF BIRTH			SOCIAL SECURITY NO. (If any)
None			Kabul Afghanistan			
FATHER	FAMILY NAME RAHIMI	FIRST NAME Mohammad	DATE, CITY AND COUNTRY OF BIRTH (if known)		CITY AND COUNTRY OF RESIDENCE	
MOTHER (Maiden name)	MOTHER (Maiden name) RAHIMI	Shafiqa	Kabul, Afghanistan		Deceased	
HUSBAND (If none, so state) OR WIFE	FAMILY NAME (For wife, give maiden name) ACHEKZAI	FIRST NAME Firiba	BIRTHDATE 04/18/1966	CITY & COUNTRY OF BIRTH Kabul, Afghanistan	DATE OF MARRIAGE 01/07/2005	PLACE OF MARRIAGE Peshawar, Pakistan
FORMER HUSBANDS OR WIVES (if none, so state)			FAMILY NAME (For wife, give maiden name)		BIRTHDATE	
NONE					DATE & PLACE OF MARRIAGE	
					DATE AND PLACE OF TERMINATION OF MARRIAGE	
APPLICANT'S RESIDENCE LAST FIVE YEARS. LIST PRESENT ADDRESS FIRST						
STREET AND NUMBER		CITY	PROVINCE OR STATE	COUNTRY	FROM MONTH	TO MONTH
Hashtnagar Travel Agency 11A Diljam Plaza Slumeri Masjid Road House #475, Street #15, K-2, Ph#3, Hayatabad		Peshawar		Pakistan	Jan.	2005 PRESENT TIME
		Peshawar		Pakistan	Jan.	1997 Dec. 2004
APPLICANT'S LAST ADDRESS OUTSIDE THE UNITED STATES OF MORE THAN ONE YEAR						
STREET AND NUMBER		CITY	PROVINCE OR STATE	COUNTRY	FROM MONTH	TO MONTH
APPLICANT'S EMPLOYMENT LAST FIVE YEARS. (IF NONE, SO STATE) LIST PRESENT EMPLOYMENT FIRST						
FULL NAME AND ADDRESS OF EMPLOYER			OCCUPATION (SPECIFY)		FROM MONTH	TO MONTH
			Student		Jan.	1999 PRESENT TIME
Show below last occupation abroad if not shown above. (include all information requested above.)						
THIS FORM IS SUBMITTED IN CONNECTION WITH APPLICATION FOR:			SIGNATURE OF APPLICANT		DATE	
<input type="checkbox"/> NATURALIZATION <input type="checkbox"/> STATUS AS PERMANENT RESIDENT						
<input checked="" type="checkbox"/> OTHER (SPECIFY): I-130						
Submit all four pages of this form.			If our native alphabet is other than roman letters, write your name in your native alphabet here:			

PENALTIES: SEVERE PENALTIES ARE PROVIDED BY LAW FOR KNOWINGLY AND WILLFULLY FALSIFYING OR CONCEALING A MATERIAL FACT.

**APPLICANT: BE SURE TO PUT YOUR NAME AND ALIEN REGISTRATION NUMBER IN THE BOX OUTLINED BY HEAVY BORDER BELOW.**

COMPLETE THIS BOX (Family name)	(Given name)	(Middle name)	(Alien registration number)
RAHIMI	Mohammad	Hamid	None

(1) Ident.



U.S. Department of Justice  
Immigration and Naturalization Service

OMB No. 1115-0066

## BIOGRAPHIC INFORMATION

(Family name)	(First name)	(Middle name)	<input type="checkbox"/> MALE	BIRTHDATE (Mo.-Day-Yr.)	NATIONALITY	FILE NUMBER
ACHEKZAI	Firiba		<input checked="" type="checkbox"/> FEMALE	04/18/66	US Citizen	A- USC
ALL OTHER NAMES USED (including names by previous marriages)			CITY AND COUNTRY OF BIRTH			SOCIAL SECURITY NO. (If any)
None			Kabul, Afghanistan			616-60-3596
FATHER	FAMILY NAME	FIRST NAME	DATE, CITY AND COUNTRY OF BIRTH (if known)		CITY AND COUNTRY OF RESIDENCE	
	ACHEKZAI	Assadullah	04/02/20	Kabul, Afghanistan	Elk Grove, USA	
MOTHER (Maiden name)	ACHEKZAI	Halima	05/20/24	Kabul, Afghanistan	Elk Grove, USA	
HUSBAND (If none, so state) OR WIFE	FAMILY NAME (For wife, give maiden name)	FIRST NAME	BIRTHDATE	CITY & COUNTRY OF BIRTH	DATE OF MARRIAGE	PLACE OF MARRIAGE
	RAHIMI	Mohammad	04/10/73	Kabul, Afghanistan	1/7/05	Peshawar, Pakistan
FORMER HUSBANDS OR WIVES (if none, so state)						
FAMILY NAME (For wife, give maiden name)	FIRST NAME	BIRTHDATE	DATE & PLACE OF MARRIAGE		DATE AND PLACE OF TERMINATION OF MARRIAGE	
NONE						
APPLICANT'S RESIDENCE LAST FIVE YEARS. LIST PRESENT ADDRESS FIRST					FROM	TO
STREET AND NUMBER	CITY	PROVINCE OR STATE	COUNTRY	MONTH	YEAR	MONTH YEAR
6316 Livorno Way	Elk Grove	California	USA	August	2003	PRESENT TIME
38657 Hastings Street, Apt. #2	Fremont	California	USA	August	1997	August 2003
APPLICANT'S LAST ADDRESS OUTSIDE THE UNITED STATES OF MORE THAN ONE YEAR					FROM	TO
STREET AND NUMBER	CITY	PROVINCE OR STATE	COUNTRY	MONTH	YEAR	MONTH YEAR
APPLICANT'S EMPLOYMENT LAST FIVE YEARS. (IF NONE, SO STATE) LIST PRESENT EMPLOYMENT FIRST					FROM	TO
FULL NAME AND ADDRESS OF EMPLOYER	OCCUPATION (SPECIFY)			MONTH	YEAR	MONTH YEAR
In-Home Supportive Sv. 4875 Broadway, Sacramento, CA 95820	Care Giver			January	1998	PRESENT TIME
Smart Modular Technologies, 4211 Starboard Drive, Fremont, California 94538 USA				April	1999	November 2004
Show below last occupation abroad if not shown above. (include all information requested above.)						
THIS FORM IS SUBMITTED IN CONNECTION WITH APPLICATION FOR:	SIGNATURE OF APPLICANT			DATE		
<input type="checkbox"/> NATURALIZATION <input type="checkbox"/> STATUS AS PERMANENT RESIDENT				02/08/05		
<input checked="" type="checkbox"/> OTHER (SPECIFY): I-130						
Submit all four pages of this form.	If our native alphabet is other than roman letters, write your name in your native alphabet here:					

PENALTIES: SEVERE PENALTIES ARE PROVIDED BY LAW FOR KNOWINGLY AND WILLFULLY FALSIFYING OR CONCEALING A MATERIAL FACT.

**APPLICANT:** BE SURE TO PUT YOUR NAME AND ALIEN REGISTRATION NUMBER IN THE BOX OUTLINED BY HEAVY BORDER BELOW.

COMPLETE THIS BOX (Family name)	(Given name)	(Middle name)	(Alien registration number)
ACHEKZAI	Firiba		USC



KABUL HOSPITAL  
KABUL AFGHANISTAN

Child's Name:

Mohammed Hamid Rahimi

Child's name

First  
Mohammed HamidMiddle  
Rahimi

Last

Box  
M

This birth:

Single

Twins

Triplet

If twins or triple

(the child born)

1st -- 2nd -- 3rd

Date of

birth:

1973

Hour

3-PM

## Father of the child

Full name:

First

Middle

Last

Age

Year

Birth Place

Kabul

Usual occupation

Officer

Kind of business or industry

Nil

## Mother of the child

Full name:

First

Middle

Last

Age

Year

Birth Place

Kabul

Usual occupation

House Wife

Kind of business or industry

Nil

Children Previously  
born to this motherHow many other  
children are  
now livingHow many other  
children were  
born alive but  
are now dead.How many children were born  
stillbirthI hereby certify to the birth birth of this child, who was born alive on  
the date and hour stated aboveSignature Dr Marian

M.D

Date: 1973 Midwife

For Medical and Health Use Only - Confidential

This Section Must Be Filled Out

Length of Pregnancy  
WeeksWeight of Child at  
Birth:  
Gr. 3 - KG Lb.Mother's name and address for mailing  
registration and notification:

State any Complication of pregnancy and labour:

State any or all operations for delivery:

Describe any congenital malformations:

SIGNATURE

Hospital Administrator

## CERTIFICATE OF NATURALIZATION

No. 26082797



Personal description of holder  
as of date of naturalization:

Date of birth: APRIL 18, 1966

Sex: FEMALE

Height: 5 feet 5 inches

Marital status: SINGLE

Country of former nationality:  
AFGHANISTAN

TNS Registration No. A072085341

I certify that the description given is true, and that the photograph affixed hereto is a likeness of me.

Signature: FIRIBA ACHEKZAI  
(Complete and true signature of holder)

Be it known that, pursuant to an application filed with the Attorney General

at: SAN FRANCISCO, CALIFORNIA

The Attorney General having found that:

FIRIBA ACHEKZAI

then residing in the United States, intends to reside in the United States when so required by the Naturalization Laws of the United States, and had in all other respects complied with the applicable provisions of such naturalization laws and was entitled to be admitted to citizenship, such person having taken the oath of allegiance in a ceremony conducted by the

US DISTRICT COURT OF NORTHERN CALIFORNIA

at: SAN FRANCISCO, CALIFORNIA on:

that such person is admitted as a citizen of the United States of America.

IT IS PUNISHABLE BY U. S. LAW TO COPY,  
PRINT OR PHOTOGRAPH THIS CERTIFICATE,  
WITHOUT LAWFUL AUTHORITY.

*D. J. O'neil*  
Commissioner of Immigration and Naturalization



## EXHIBIT 2

**UNITED STATES OF AMERICA**

RECEIPT NUMBER WAC-05-106-54109		CASE TYPE I130 IMMIGRANT PETITION FOR RELATIVE, FIANCE(E), OR ORPHAN
RECEIPT DATE March 7, 2005	PRIORITY DATE March 2, 2005	PETITIONER A72 085 341 ACHEKZAI, FIRIBA
NOTICE DATE May 19, 2005	PAGE 1 of 1	BENEFICIARY RAHIMI, MOHAMMAD H.
NADIA FARAH ESQ LAW OFFICES OF NADIA FARAH RE: FIRIBA ACHEKZAI 39159 PASEO PADRE PKWY 211 FREMONT CA 94538		<b>Notice Type:</b> Approval Notice <b>Section:</b> Husband or wife of U.S. Citizen, 201(b) INA

The above petition has been approved. We have sent the original visa petition to the **Department of State National Visa Center (NVC), 32 Rochester Avenue, Portsmouth, NH 03801-2909**. NVC processes all approved immigrant visa petitions that need consular action. It also determines which consular post is the appropriate consulate to complete visa processing. NVC will then forward the approved petition to that consulate.

The NVC will contact the person for whom you are petitioning(beneficiary) concerning further immigrant visa processing steps.

If you have any questions about visa issuance, please contact the NVC directly. However, please allow at least 90 days before calling the NVC if your beneficiary has not received correspondence from the NVC. The telephone number of the NVC is **(603) 334-0700**.

THIS FORM IS NOT A VISA NOR MAY IT BE USED IN PLACE OF A VISA.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

U.S. CITIZENSHIP & IMMIGRATION SVC  
CALIFORNIA SERVICE CENTER  
P. O. BOX 30111  
LAGUNA NIGUEL CA 92607-0111  
Customer Service Telephone: (800) 375-5283



## EXHIBIT 3



U.S. Department of State  
 National Visa Center  
 32 Rochester Avenue  
 Portsmouth, NH 03801-2909

IMMIGRATION

June 12, 2005



COMBINED LAWYER IV/AOS FEE

NADIA FARAH  
 LAW OFFICES  
 39159 PASEO PADRE PKWY. #211  
 FREMONT, CA 94538

RE: Immigrant Visa Case of: MOHAMMAD HAMID RAHIMI  
 ISL2005654051  
 Petitioner: ACHEKZAI, FIRIBA

Dear Sir/Madam:

The National Visa Center (NVC) has received the immigrant visa case of MOHAMMAD HAMID RAHIMI. Our files show that you are the applicant's Attorney of Record.

We have enclosed the Affidavit of Support fee bill and the Immigrant Visa fee bill(s) that must be paid in advance of receiving the Instructions Packet and Affidavit of Support form for this specific case. You must send:

1. The enclosed **Affidavit of Support Fee Bill** bearing the applicant's case number and barcode; and
2. A cashier's check or money order made payable to the **Department of State** for the appropriate total of processing fee(s) (\$70.00 per case as noted on the Affidavit of Support Fee Bill)
3. The enclosed **Immigrant Visa Fee Bill(s)** bearing the case number and each **traveling** applicant's unique barcode;
4. A cashier's check or money order made payable to the **Department of State** for the appropriate total of Immigrant Visa application fee(s) ( per traveling applicant);
5. Send all enclosed **fee bills** and **check(s)** in the return envelope to the following address:

**National Visa Center  
 PO Box 952201  
 St. Louis, MO 63195-2201**

**Important Notes:**

- Send a cashier's check(s) or money order(s) in U.S. dollars drawn on a U.S. bank made payable to the **Department of State** together with the **Affidavit of Support Fee Bill and the Immigrant Visa Fee Bill(s)**.
- Do not send a personal or attorney/firm check(s).
- If you wish to send your payment via an overnight mail courier service, please note that only the U.S. Postal Service provides such delivery service to post office boxes.
- **Do NOT send any payments to the Portsmouth, NH address, as they will be returned.**
- Lawyers can send a single check for related cases.
- Send only the payment and fee bill(s) to the St. Louis, MO address.
- Do not send any other documents to the St. Louis, MO address.
- Do not send any documents to the Portsmouth, NH address **until requested**.

If you wish to add a new spouse or child to this case, please contact the National Visa Center via phone or mail using the contact information below. Do not send a fee payment for an applicant not currently listed on the case, as those fees cannot be accepted.

Upon receipt of the Affidavit of Support fee and ALL of the Immigrant Visa fees, you will receive a packet containing the Immigrant Visa application(s) (Form DS-230 Part I), the Affidavit of Support (I-864) forms and further instructions.

**Until we receive all of the Affidavit of Support & Immigrant Visa fee(s) and forms from you, we cannot process your client's case.**

If you need **case information**, you may:

- Call the National Visa Center between the hours of 7:30 a.m. and midnight ET, Monday through Friday, at (603) 334-0700;
- Write to the National Visa Center, Attn: WC, 32 Rochester Ave., Portsmouth, NH 03801-2909; or
- Send a Fax to (603) 334-0791, or
- E-mail us at: [nvcattorney@state.gov](mailto:nvcattorney@state.gov)

When you e-mail, please include the following:

- \* case or receipt number as the subject line of the email
- \* beneficiary's and petitioner's name and date of birth
- \* name of the law office requesting the information
- \* company/organizational name if employment based (I-140) inquires

Please reference only **one case per email**.

If you have a **legal question** concerning your client's case, as an attorney, you may submit your question by e-mail to the Visa Office of the Bureau of Consular Affairs at [legalnet@state.gov](mailto:legalnet@state.gov). Always include the applicant's complete name and case number when contacting us.

**If a period of one year passes without contacting NVC (by telephone or mail), all submitted fees and documents will expire. In this case, fees and documents will need to be resubmitted in order to continue the immigration process.**

Sincerely,  
Director  
National Visa Center

Enclosures:

**Affidavit of Support Fee Bill**  
**Immigrant Visa Fee Bill(s)**  
**Other Important Enclosures (if required)**

\*\*  
\*\*

## Affidavit of Support (I-864) Processing Fee Bill

### Instructions:

#### How much to pay:

The Affidavit of Support (I-864) processing fee is **\$70.00 U.S.** per case.\*

*\*Exceptions:* If you are a U.S. citizen filing a separate Affidavit of Support (I-864) for your spouse and children to immigrate, you only need to submit one \$70.00 fee, which will cover your spouse and children. If you are a U.S. citizen filing a separate Affidavit of Support (I-864) for each of your parents to immigrate, you only need to submit one \$70.00 fee, which will cover both parents. (Please mail all fee bills in one return envelope with one check on top.)

#### What to send:

1. A cashier's check or money order in U.S. dollars, drawn on a U.S. bank, made payable to the Department of State with the case number (shown below) written on the front of the check. Do NOT send cash, a personal or attorney/firm check.
2. The Bottom of this Page (the tearoff of this page is required to avoid delays in processing this case)

**DO NOT SEND ANY I-864 FORMS NOW**, as they will be sent to you once this fee has been paid. Sending the I-864 form now will cause delays processing your case.

**Please note: Fees are non-refundable.**

**Please fold here, detach, and return the bottom portion with your payment. (DO NOT DUPLICATE OR PHOTO COPY THIS BILL)**

Please return this portion with a cashier's check or money order in U.S. dollars drawn on a U.S. bank made payable to: the Department of State

**Please note: Fees are non-refundable**

Bill date: June 12, 2005  
Case Number: ISL2005654051  
Visa Classification: CR1

Petitioner's name: ACHEKZAI, FIRIBA

**Payment Due: \$70.00**

**Return payment to** (envelope provided):

National Visa Center  
P.O. Box 952200  
St. Louis, MO 63195-2200

Amount enclosed: \$ 70.00  
(Do NOT send cash, a personal check or attorney/firm check)



# Immigrant Visa Application Processing Fee Bill

(DO NOT DUPLICATE OR PHOTOCOPY THIS BILL)  
Keep this top portion for your records

June 12, 2005

IV Fee Bill for: MOHAMMAD HAMID RAHIMI

Amount Due: \$380.00

Case Number: ISL2005654051



When we receive your Immigrant Visa fees, we will send you the Immigrant Visa application (form DS-230 Part I) along with further instructions. Return only the original application that we send to you. Do not use downloaded computer forms.

**Instructions:** There is one Immigrant Visa Application Processing Fee Bill for each traveling applicant. This fee bill is only for the name listed above.

Do not attempt to add and/or pay for any new applicant(s) with this bill, as they cannot be accepted. Please contact NVC customer service if you need to add applicant(s) to this case.

Please pay the exact amount shown on this fee bill. If you have multiple fee bills in this package, you may combine them into a single check (\$380.00 per traveling applicant).

If this fee bill is not for RAHIMI, MOHAMMAD HAMID (the principal applicant) and you are listed on the petition but not traveling with the principal applicant, you need to provide that information to NVC immediately. Do not pay this fee.

**YOU MUST SEND THE FOLLOWING** when making payment:

\*A cashier's check or money order in U.S. dollars, drawn on a U.S. bank, made payable to the Department of State with the case number written on the front of the check (Do not send cash, a personal or attorney/firm check), and

\*All fee bills for traveling applicants (required to process this case) **Fees are not refundable**

An addressed envelope is enclosed for your use. If you have misplaced this envelope, the address to send this fee bill is shown below.

**DO NOT SEND ANY DS-230 FORMS NOW**, the forms will be sent to you once this fee has been paid. Sending the DS-230 form now will cause delays in processing your case.

If a period of one year passes without contacting NVC (by telephone or mail), all submitted fees and documents will expire. If you allow this to happen, fees and documents will need to be resubmitted to continue the immigration process.

**Please fold here, detach, and return the bottom portion with your payment. (DO NOT DUPLICATE OR PHOTOCOPY THIS BILL)**

Please return this portion with a cashier's check or money order in U.S. dollars drawn on a U.S. bank made payable to: the Department of State

Bill date: June 12, 2005  
 Case Number: ISL2005654051  
 Visa Classification: CR1



**Please note:** Fees are non-refundable

**Payment coupon for**

MOHAMMAD HAMID RAHIMI

\$335.00 IV Application Processing Fee  
\$45.00 IV Security Surcharge

**Payment Due: \$380.00**

**Return payment to (envelope provided):**

National Visa Center

P.O. Box 952201

St. Louis, MO 63195-2201

**Amount enclosed: \$ 380.00**

(Do NOT send cash, a personal check or attorney/firm check)



ISL2005654051-016331199

**Bank of America****Cashier's Check****No. 411520995**

0001125 00005 001520995

Date

VOID AFTER 90 DAYS

11/15/2010

Banking  
Center  
LAGUNA CREEK

FIRIBA ACHERZAI

Remitter (Purchased By)

Pay **\*\*\*THREE HUNDRED EIGHTY DOLLARS AND 00 CENTS\*\*\*****\$****\*\*\*380.00\*\*\***Authorized Signature  


05-14-3774B 3-2000  
To  
The  
Order  
Of  
DEPARTMENT OF STATES  
\*\*CASE # ISL2005654051\*\*

Bank of America, N.A.  
San Francisco, CA**1104115209951101210003581139701185076110**

THE ORIGINAL DOCUMENT HAS REFLECTIVE WATERMARK ON THE BACK

No. 411520994

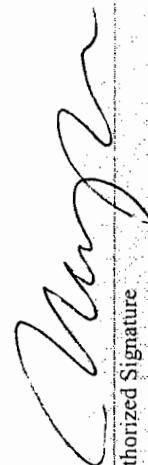
## Cashier's Check

Bank of America	LAGUNA CREEK	VOID AFTER 90 DAYS
		04/15/2005
		1435124
		FLIRIBA ACHERKAI
		Remitter (Purchased By)
		**70.00**
		\$
		SEVENTY DOLLARS AND 00 CENTS**
Pay	To	DEPARTMENT OF STATE**
	The	CASE # ISL2005654051**
	Order	
	Of	
		Bank of America, N.A.
		San Francisco, CA

05-14-3774B 3-2000

THE ORIGINAL DOCUMENT HAS REFLECTIVE WATERMARK ON THE BACK

THE ORIGINAL DOCUMENT HAS REFLECTIVE WATERMARK ON THE BACK

  
Authorized Signature

11115209941112100035811397008507611

THE ORIGINAL DOCUMENT HAS REFLECTIVE WATERMARK ON THE BACK

Law Offices of...

*Nadia Farah*

July 5, 2005

39159 Paseo Padre Pkwy.  
Suite 211  
Fremont, CA 94538  
Tel: 510.494.8156  
Fax: 510.494.8158

National Visa Center  
P.O. Box 952201  
St Louis, MO 63195-2201

**RE: PETITIONER:  
BENEFICIARY:  
CASE NUMBER:**

***FIRIBA ACHEKZAI  
MOHAMMAD HAMID RAHIMI  
ISL-2005654051***

Dear Sir or Madam:

Please be advised that this office represents the above petitioner with respect to her petition for her husband. Enclosed please find the following documentation:

1. Affidavit of Support Fee Bill bearing the applicant's case number and barcode.
2. A cashier's check or money order in the amount of \$70.00 for the Affidavit of Support fee.
3. Immigrant Visa Fee Bill bearing the applicant's case number and unique barcode.
4. A cashier's check or money order in the amount of \$380.00 for the Immigrant Visa Fee.

We believe that this is all the documentation that you requested. Please process this case as soon as possible. Should you have any questions, please do not hesitate to contact our office. Thank you for your courtesy and cooperation.

Sincerely,



NADIA FARAH  
NF/as  
Encl.



U.S. Department of State  
National Visa Center  
32 Rochester Avenue  
Portsmouth, NH 03801-2909

## IMMIGRATION

July 17, 2005



## INSTRUCTION PACKET LAWYER I-130

NADIA FARAH  
LAW OFFICES  
39159 PASEO PADRE PKWY. #211  
FREMONT, CA 94538

RE: Immigrant Visa Case of MOHAMMAD HAMID RAHIMI  
Petitioner: AFGHANISTAN  
ACHEKZAI, FIRIBA  
ISL2005654051

Dear Sir/Madam:

The enclosed information pertains to the immigrant visa case of MOHAMMAD HAMID RAHIMI. Our files show that you are the applicant's Attorney of Record. We have received all of the necessary Immigrant Visa and Affidavit of Support fees for this case.

For each case, you must send a completed Affidavit of Support (I-864). For each traveling applicant, you must send a completed Application for Immigrant Visa (DS-230 Part I) along with the **enclosed sheet** bearing the case number and barcode information in the enclosed envelope to:

**National Visa Center  
ATTN: CMR  
32 Rochester Avenue  
Portsmouth, NH 03801-2909**

**Your case number must be clearly written in the upper right hand corner of ALL documents. Failure to write your case number on all documents will cause a delay in processing.**

This is a family-based visa case. The Petitioner, (ACHEKZAI, FIRIBA), must complete an Affidavit of Support (I-864) form for each visa applicant. We have already sent you or the petitioner a letter with instructions about the I-864 form.

If you have a legal question concerning your client's case, as an attorney, you may submit your question by e-mail to the Visa Office of the Bureau of Consular Affairs at [legalnet@state.gov](mailto:legalnet@state.gov). Always include the applicant's complete name and case number when contacting us.

If you need additional information, you may:

- Call the National Visa Center between the hours of 7:30 a.m. and midnight ET, Monday through Friday, at (603) 334-0700;
- Write to the National Visa Center, Attn: WC, 32 Rochester Ave., Portsmouth, NH 03801-2909; or
- Send a Fax to (603) 334-0791, or
- E-mail us at: [nvcattorney@state.gov](mailto:nvcattorney@state.gov)

When you e-mail, please include the following:

- \* case or receipt number as the subject line of the email
- \* beneficiary's and petitioner's name and date of birth
- \* name of the law office requesting the information
- \* company/organizational name if employment based (I-140) inquires

Please reference **only one case per e-mail**.

**If a period of one year passes without contacting NVC (by telephone or mail), all submitted fees and documents will expire. In this case, fees and documents will need to be resubmitted in order to continue the immigration process.**

When communicating with the National Visa Center, either by telephone or by letter, the applicant, his agent, or attorney must **ALWAYS** refer to the applicant's name and case number exactly as they appear below:

**Name of Visa Applicant:** MOHAMMAD HAMID RAHIMI  
**Case Number:** ISL2005654051

Sincerely,

Director  
 National Visa Center

Enclosures:

DS-230 Part I  
 Affidavit of Support (I-864) and Instructions  
 Instructions for Immigrant Visa Applicants  
 Barcode Sheet  
 Other Important Enclosures (if required)

**National Visa Center**  
**BARCODE SHEET**

You **MUST RETURN THIS PAGE** with the  
**completed DS-230 Part I , supporting documents**  
**and I-864, if applicable** to:

National Visa Center  
ATTN: CMR  
32 Rochester Avenue  
Portsmouth, NH 03801-2909

- \* Failure to **return this page** will delay the processing of your case.
- \* Please attach this **Barcode Sheet** to the front of your documents for **this case only**.
- \* If you are sending information for other cases in the same envelope, you **must** attach the appropriate **Barcode Sheet** to the top of the documents for each individual case included.

**ISL2005654051**

**CR1**



Law Offices of...

Nadia Farah

August 8, 2005

39159 Pasco Padre Pkwy.  
Suite 211  
Fremont, CA 94538  
Tel: 510.494.8156  
Fax: 510.494.8158

National Visa Center  
ATTN: CMR  
32 Rochester Avenue  
Portsmouth, NH 03801-2909

**RE: PETITIONER:  
BENEFICIARY:  
CASE NUMBER:**

**FIRIBA ACHEKZAI  
MOHAMMAD HAMID RAHIMI  
ISL2005654051**

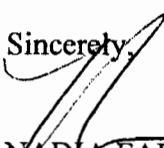
Dear Sir or Madam:

We are in receipt of your request for documentation dated July 17, 2005. Enclosed please find the following documentation:

1. Your Form DS-230 Part I (Biographic Data) signed by Mr. Rahimi.
2. Your Form DS-230 Part II (Sworn Statement) for Mr. Rahimi.
3. Your Form I-864 (Affidavit of Support) for Mr. Rahimi notarized on behalf of Ms. Achechkzai.
4. Authorization for Release of Federal Tax Data signed by Ms. Achechkzai.
5. A copy of Ms. Achechkzai's last three years of Income Tax Returns for 2004, 2003, and 2002 plus W-2 forms.
6. Proof of citizenship for Ms. Achechkzai.
7. Two (2) employment verification letters for Ms. Achechkzai.

We believe that this is all the documentation that you requested. Please process this case as soon as possible. Should you have any questions, please do not hesitate to contact our office. Thank you for your courtesy and cooperation.

Sincerely,

  
NADIA FARAH  
NF/as  
Encl.



U.S. Department of State

 OMB APPROVAL NO. 1405-0015  
 EXPIRES: 07/31/2007  
 ESTIMATED BURDEN: 1 HOUR\*  
 (See Page 2)

## APPLICATION FOR IMMIGRANT VISA AND ALIEN REGISTRATION

### PART I - BIOGRAPHIC DATA

**INSTRUCTIONS:** Complete one copy of this form for yourself and each member of your family, regardless of age, who will immigrate with you. Please print or type your answers to all questions. Mark questions that are **Not Applicable** with "N/A". If there is insufficient room on the form, answer on a separate sheet using the same numbers that appear on the form. Attach any additional sheets to this form.

**WARNING: Any false statement or concealment of a material fact may result in your permanent exclusion from the United States.**  
**This form (DS-230 PART I) is the first of two parts. This part, together with Form DS-230 PART II, constitutes the complete Application for Immigrant Visa and Alien Registration.**

1. Family Name RAHIMI	First Name Mohammad	Middle Name Hamid	
2. Other Names Used or Aliases (If married woman, give maiden name) None			
3. Full Name in Native Alphabet (If Roman letters not used) Ghulam Ali			
4. Date of Birth (mm-dd-yyyy) 04/10/1973	5. Age 32	6. Place of Birth (City or town) Kabul (Province) Afghanistan (Country)	
7. Nationality (If dual national, give both) Afghan	8. Gender <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	9. Marital Status <input type="checkbox"/> Single (Never married) <input checked="" type="checkbox"/> Married <input type="checkbox"/> Widowed <input type="checkbox"/> Divorced <input type="checkbox"/> Separated Including my present marriage, I have been married 1 times.	
10. Permanent address in the United States where you intend to live, if known (street address including zip code). Include the name of a person who currently lives there.  FIRIBA ACHEKZAI 6316 Livorno Way Elk Grove, CA 95757  Telephone number: (916) 714-9271		11. Address in the United States where you want your Permanent Resident Card (Green Card) mailed, if different from address in item #10 (include the name of a person who currently lives there).  FIRIBA ACHEKZAI 6316 Livorno Way Elk Grove, CA 95757  Telephone number: (916) 714-9271 or 510-209-8551	
12. Your Present Occupation Student		13. Present Address (Street Address) (City or Town) (Province) (Country)  C/O: Hashthagar Travel Agency 11A Diljan Plaza Suhneri Masjid Road, Peshawar, Pakistan  Telephone number: Home 91 828036   Office	
14. Name of Spouse (Maiden or family name) ACHEKZAI		First Name Firiba Middle Name	
Date (mm-dd-yyyy) and place of birth of spouse: 4/18/1966		Kabul, Afghanistan	
Address of spouse (If different from your own):  6316 Livorno Way Elk Grove, CA 95757		Date of marriage (mm-dd-yyyy): 01/07/2005	
Spouse's occupation: Care-Giver			
15. Father's Family Name AKRAMZADA		First Name Mohammad Middle Name Rahim	
16. Father's Date of Birth (mm-dd-yyyy) 1/5/1939	Place of Birth Kabul, Afghanistan	Current Address N/A	If deceased, give year of death 2002
17. Mother's Family Name at Birth AKRAMZADA		First Name Shafiq	Middle Name Majeed
18. Mother's Date of Birth (mm-dd-yyyy) 2/26/1945	Place of Birth Kabul, Afghanistan	Current Address Peshawar, Pakistan	If deceased, give year of death

19. List Names, Dates and Places of Birth, a. Addresses of ALL Children.																																																																																							
NAME	DATE (mm-dd-yyyy)	PLACE OF BIRTH	ADDRESS (If different from your own)																																																																																				
N/A																																																																																							
<p>20. List below all places you have lived for at least six months since reaching the age of 16, including places in your country of nationality. Begin with your present residence.</p> <table border="1"> <tr> <th>CITY OR TOWN</th> <th>PROVINCE</th> <th>COUNTRY</th> <th>FROM/TO (mm-yyyy)</th> </tr> <tr> <td>Peshawar</td> <td></td> <td>Pakistan</td> <td>01/1992-Present</td> </tr> <tr> <td>Kabul</td> <td></td> <td>Afghanistan</td> <td>04/1973-01/1992</td> </tr> <tr> <td colspan="4"> <p>21a. Person(s) named in 14 and 19 who will accompany you to the United States now.</p> <p>N/A</p> </td> </tr> <tr> <td colspan="4"> <p>21b. Person(s) named in 14 and 19 who will follow you to the United States at a later date.</p> <p>N/A</p> </td> </tr> <tr> <td colspan="4">22. List below all employment for the last ten years.</td> </tr> <tr> <th>EMPLOYER</th> <th>LOCATION</th> <th>JOB TITLE</th> <th>FROM/TO (mm-yyyy)</th> </tr> <tr> <td colspan="4">None</td> </tr> <tr> <td colspan="4"> <p>In what occupation do you intend to work in the United States? <u>Unknown</u></p> </td> </tr> <tr> <td colspan="4">23. List below all educational institutions attended.</td> </tr> <tr> <th>SCHOOL AND LOCATION</th> <th>FROM/TO (mm-yyyy)</th> <th>COURSE OF STUDY</th> <th>DEGREE OR DIPLOMA</th> </tr> <tr> <td>Challenger Lasai Ansari, Kabul, Afghanistan</td> <td>2002-Present 1976-1987</td> <td>English High School</td> <td>None GED</td> </tr> <tr> <td colspan="4"> <p>Languages spoken or read: <u>Farsi, Pashtu, English, Urdu</u></p> </td> </tr> <tr> <td colspan="4"> <p>Professional associations to which you belong: <u>None</u></p> </td> </tr> <tr> <td colspan="2">24. Previous Military Service</td> <td colspan="2"> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No         </td> </tr> <tr> <td colspan="2">Branch:</td> <td colspan="2">Dates (mm-dd-yyyy) of Service:</td> </tr> <tr> <td colspan="2">Rank/Position:</td> <td colspan="2">Military Speciality/Occupation:</td> </tr> <tr> <td colspan="4">25. List dates of all previous visits to or residence in the United States. (If never, write "never") Give type of visa status, if known. Give DHS "A" number if any.</td> </tr> <tr> <th>FROM/TO (mm-yyyy)</th> <th>LOCATION</th> <th>TYPE OF VISA</th> <th>"A" NO. (If known)</th> </tr> <tr> <td>Never</td> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="2">SIGNATURE OF APPLICANT</td> <td colspan="2">DATE (mm-dd-yyyy) 7/28/2005</td> </tr> </table>				CITY OR TOWN	PROVINCE	COUNTRY	FROM/TO (mm-yyyy)	Peshawar		Pakistan	01/1992-Present	Kabul		Afghanistan	04/1973-01/1992	<p>21a. Person(s) named in 14 and 19 who will accompany you to the United States now.</p> <p>N/A</p>				<p>21b. Person(s) named in 14 and 19 who will follow you to the United States at a later date.</p> <p>N/A</p>				22. List below all employment for the last ten years.				EMPLOYER	LOCATION	JOB TITLE	FROM/TO (mm-yyyy)	None				<p>In what occupation do you intend to work in the United States? <u>Unknown</u></p>				23. List below all educational institutions attended.				SCHOOL AND LOCATION	FROM/TO (mm-yyyy)	COURSE OF STUDY	DEGREE OR DIPLOMA	Challenger Lasai Ansari, Kabul, Afghanistan	2002-Present 1976-1987	English High School	None GED	<p>Languages spoken or read: <u>Farsi, Pashtu, English, Urdu</u></p>				<p>Professional associations to which you belong: <u>None</u></p>				24. Previous Military Service		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Branch:		Dates (mm-dd-yyyy) of Service:		Rank/Position:		Military Speciality/Occupation:		25. List dates of all previous visits to or residence in the United States. (If never, write "never") Give type of visa status, if known. Give DHS "A" number if any.				FROM/TO (mm-yyyy)	LOCATION	TYPE OF VISA	"A" NO. (If known)	Never				SIGNATURE OF APPLICANT		DATE (mm-dd-yyyy) 7/28/2005	
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Privacy Act and Paperwork Reduction Act Statements

The information asked for on this form is requested pursuant to Section 222 of the Immigration and Nationality Act. The U.S. Department of State uses the facts you provide on this form primarily to determine your classification and eligibility for a U.S. immigrant visa. Individuals who fail to submit this form or who do not provide all the requested information may be denied a U.S. immigrant visa. If you are issued an immigrant visa and are subsequently admitted to the United States as an immigrant, the Department of Homeland Security will use the information on this form to issue you a Permanent Resident Card, and, if you so indicate, the Social Security Administration will use the information to issue you a social security number and card.

*\*Public reporting burden for this collection of information is estimated to average 1 hour per response, including time required for searching existing data sources, gathering the necessary data, providing the information required, and reviewing the final collection. In accordance with 5 CFR 1320.5(b), persons are not required to respond to the collection of this information unless this form displays a currently valid OMB control number. Send comments on the accuracy of this estimate of the burden and recommendations for reducing it to: U.S. Department of State (A/RPS/DIR) Washington, DC 20520.*



**PART II -SWORN STATEMENT**

**INSTRUCTIONS:** Complete one copy of this form for yourself and each member of your family, regardless of age, who will immigrate with you. Please print or type your answers to all questions. Mark questions that are **Not Applicable** with "N/A". If there is insufficient room on the form, answer on a separate sheet using the same numbers that appear on the form. Attach any additional sheets to this form. The fee should be paid in United States dollars or local currency equivalent or by bank draft.

**WARNING: Any false statement or concealment of a material fact may result in your permanent exclusion from the United States. Even if you are issued an immigrant visa and are subsequently admitted to the United States, providing false information on this form could be grounds for your prosecution and/or deportation.**

This form (DS-230 PART II), together with Form DS-230 PART I, constitutes the complete Application for Immigrant Visa and Alien Registration.

26. Family Name	First Name	Middle Name		
RAHIMI	Mohammad	Hamid		
27. Other Names Used or Aliases (If married woman, give maiden name)				
None				
28. Full Name in Native Alphabet (If Roman letters not used)				
29. Name and Address of Petitioner				
FIRIBA ACHEKZAI 6316 Livorno Way Elk Grove CA 95757				
Telephone number: (916) 714-9271				
<b>30. United States laws governing the issuance of visas require each applicant to state whether or not he or she is a member of any class of individuals excluded from admission into the United States. The excludable classes are described below in general terms. You should read carefully the following list and answer YES or NO to each category. The answers you give will assist the consular officer to reach a decision on your eligibility to receive a visa.</b>				
<b>EXCEPT AS OTHERWISE PROVIDED BY LAW, ALIENS WITHIN THE FOLLOWING CLASSIFICATIONS ARE INELIGIBLE TO RECEIVE A VISA.</b> <b>DO ANY OF THE FOLLOWING CLASSES APPLY TO YOU?</b>				
a.	An alien who has a communicable disease of public health significance; who has failed to present documentation of having received vaccinations in accordance with U.S. law; who has or has had a physical or mental disorder that poses or is likely to pose a threat to the safety or welfare of the alien or others; or who is a drug abuser or addict.		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
b.	An alien convicted of, or who admits having committed, a crime involving moral turpitude or violation of any law relating to a controlled substance or who is the spouse, son or daughter of such a trafficker who knowingly has benefited from the trafficking activities in the past five years; who has been convicted of 2 or more offenses for which the aggregate sentences were 5 years or more; who is coming to the United States to engage in prostitution or commercialized vice or who has engaged in prostitution or procuring within the past 10 years; who is or has been an illicit trafficker in any controlled substance; who has committed a serious criminal offense in the United States and who has asserted immunity from prosecution; who, while serving as a foreign government official and within the previous 24-month period, was responsible for or directly carried out particularly severe violations of religious freedom; or whom the President has identified as a person who plays a significant role in a severe form of trafficking in persons, who otherwise has knowingly aided, abetted, assisted or colluded with such a trafficker in severe forms of trafficking in persons, or who is the spouse, son or daughter of such a trafficker who knowingly has benefited from the trafficking activities within the past five years.		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
c.	An alien who seeks to enter the United States to engage in espionage, sabotage, export control violations, terrorist activities, the overthrow of the Government of the United States or other unlawful activity; who is a member of or affiliated with the Communist or other totalitarian party; who participated in Nazi persecutions or genocide; who has engaged in genocide; or who is a member or representative of a terrorist organization as currently designated by the U.S. Secretary of State.		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
d.	An alien who is likely to become a public charge.		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
e.	An alien who seeks to enter for the purpose of performing skilled or unskilled labor who has not been certified by the Secretary of Labor; who is a graduate of a foreign medical school seeking to perform medical services who has not passed the NBME exam or its equivalent; or who is a health care worker seeking to perform such work without a certificate from the CGFNS or from an equivalent approved independent credentialing organization.		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
f.	An alien who failed to attend a hearing on deportation or inadmissibility within the last 5 years; who seeks or has sought a visa, entry into the United States, or any immigration benefit by fraud or misrepresentation; who knowingly assisted any other alien to enter or try to enter the United States in violation of law; who, after November 30, 1996, attended in student (F) visa status a U.S. public elementary school or who attended a U.S. public secondary school without reimbursing the school; or who is subject to a civil penalty under INA 274C.		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

## Privacy Act and Paperwork Reduction Act Statements

The information asked for on this form is requested pursuant to Section 222 of the Immigration and Nationality Act. The U.S. Department of State uses the facts you provide on this form primarily to determine your classification and eligibility for a U.S. immigrant visa. Individuals who fail to submit this form or who do not provide all the requested information may be denied a U.S. immigrant visa. If you are issued an immigrant visa and are subsequently admitted to the United States as an immigrant the Department of Homeland Security will use the information on this form to issue you a Permanent Resident Card, and, if you so indicate, the Social Security Administration will use the information to issue you a social security number and card.

**\*Public reporting burden for this collection of information is estimated to average 1 hour per response, including time required for searching existing data sources, gathering the necessary data, providing the information required, and reviewing the final collection. In accordance with 5 CFR 1 320 5(b), persons are not required to respond to the collection of this information unless this form displays a currently valid OMB control number. Send comments on the accuracy of this estimate of the burden and recommendations for reducing it to: U.S. Department of State (A/RPS/DIR) Washington, DC 20520.**

g. An alien who is permanently ineligible for U.S. citizenship; or who departed the United States to evade military service in time of war.  Yes  No

h. An alien who was previously ordered removed within the last 5 years or ordered removed a second time within the last 20 years; who was previously unlawfully present and ordered removed within the last 10 years or ordered removed a second time within the last 20 years; who was convicted of an aggravated felony and ordered removed; who was previously unlawfully present in the United States for more than 180 days but less than one year who voluntarily departed within the last 3 years; or who was unlawfully present for more than one year or an aggregate of one year within the last 10 years.  Yes  No

i. An alien who is coming to the United States to practice polygamy; who withholds custody of a U.S. citizen child outside the United States from a person granted legal custody by a U.S. court or intentionally assists another person to do so; who has voted in the United States in violation of any law or regulation; or who renounced U.S. citizenship to avoid taxation.  Yes  No

j. An alien who is a former exchange visitor who has not fulfilled the 2-year foreign residence requirement.  Yes  No

k. An alien determined by the Attorney General to have knowingly made a frivolous application for asylum.  Yes  No

l. An alien who has ordered, carried out or materially assisted in extrajudicial and political killings and other acts of violence against the Haitian people; who has directly or indirectly assisted or supported any of the groups in Colombia known as FARC, ELN, or AUC; who through abuse of a governmental or political position has converted for personal gain, confiscated or expropriated property in Cuba, a claim to which is owned by a national of the United States, has trafficked in such property or has been complicit in such conversion, has committed similar acts in another country, or is the spouse, minor child or agent of an alien who has committed such acts; who has been directly involved in the establishment or enforcement of population controls forcing a woman to undergo an abortion against her free choice or a man or a woman to undergo sterilization against his or her free choice; or who has disclosed or trafficked in confidential U.S. business information obtained in connection with U.S. participation in the Chemical Weapons Convention or is the spouse, minor child or agent of such a person.  Yes  No

31. Have you ever been charged, arrested or convicted of any offense or crime?  
(If answer is Yes, please explain)

Yes  No

32. Have you ever been refused admission to the United States at a port-of-entry?  
(If answer is Yes, please explain)

Yes  No

33a. Have you ever applied for a Social Security Number (SSN)?

Yes Give the number \_\_\_\_\_  No

Do you want the Social Security Administration to assign you an SSN (and issue a card) or issue you a new card (if you have an SSN)? You must answer "Yes" to this question and to the "Consent To Disclosure" in order to receive an SSN and/or card.

Yes  No

33b. CONSENT TO DISCLOSURE: I authorize disclosure of information from this form to the Department of Homeland Security (DHS), the Social Security Administration (SSA), such other U.S. Government agencies as may be required for the purpose of assigning me an SSN and issuing me a Social Security card, and I authorize the SSA to share my SSN with the INS.

Yes  No

The applicant's response does not limit or restrict the Government's ability to obtain his or her SSN, or other information on this form, for enforcement or other purposes as authorized by law.

34. WERE YOU ASSISTED IN COMPLETING THIS APPLICATION?  Yes  No

(if answer is Yes, give name and address of person assisting you, indicating whether relative, friend, travel agent, attorney, or other)

Nadia Farah, Esq., 39159 Paseo Padre Pkwy. #211 Fremont, California 94538, Attorney

DO NOT WRITE BELOW THE FOLLOWING LINE

The consular officer will assist you in answering item 35.  
DO NOT SIGN this form until instructed to do so by the consular officer

35. I claim to be.

A Family-Sponsored Immigrant  
 An Employment-Based Immigrant  
 A Diversity Immigrant  
 A Special Category (Specify) \_\_\_\_\_  
(Returning resident, Hong Kong, Tibetan, Private Legislation, etc.)

I derive foreign state chargeability  
 under Sec. 202(b) through my \_\_\_\_\_

Preference: \_\_\_\_\_

Numerical limitation: \_\_\_\_\_  
(foreign state)

I understand that I am required to surrender my visa to the United States Immigration Officer at the place where I apply to enter the United States, and that the possession of a visa does not entitle me to enter the United States if at that time I am found to be inadmissible under the immigration laws.

I understand that any willfully false or misleading statement or willful concealment of a material fact made by me herein may subject me to permanent exclusion from the United States and, if I am admitted to the United States, may subject me to criminal prosecution and/or deportation.

I, the undersigned applicant for United States immigrant visa, do solemnly swear (or affirm) that all statements which appear in this application, consisting of Form DS-230 Part I and Part II combined, have been made by me, including the answers to items 1 through 35 inclusive, and that they are true and complete to the best of my knowledge and belief. I do further swear (or affirm) that, if admitted into the United States, I will not engage in activities which would be prejudicial to the public interest, or endanger the welfare, safety, or security of the United States; in activities which would be prohibited by the laws of the United States relating to espionage, sabotage, public disorder, or in other activities subversive to the national security; in any activity a purpose of which is the opposition to or the control, or overthrow of, the Government of the United States, by force, violence, or other unconstitutional means.

I understand that completion of this form by persons required by law to register with the Selective Service System (males 18 through 25 years of age) constitutes such registration in accordance with the Military Selective Service Act.

I understand all the foregoing statements, having asked for and obtained an explanation on every point which was not clear to me.

\_\_\_\_\_  
 Signature of Applicant

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ at: \_\_\_\_\_

\_\_\_\_\_  
 Consular Officer

U.S. Department of Justice  
Immigration and Naturalization Service

START HERE - Please Type or Print

#### Part 1. Information on Sponsor (You)

Last Name <u>Acheckzai</u>	First Name <u>Firiba</u>	Middle Name <u>/</u>
Mailing Address (Street Number and Name) <u>4316 Liverono Way</u>		Apt/Suite Number <u>/</u>
City <u>EIK GROVE</u>	State or Province <u>CA</u>	
Country <u>U.S.A.</u>	ZIP/Postal Code <u>95757</u> Telephone Number <u>(616) 714-9271 or (610) 209-9351</u>	
Place of Residence if different from above (Street Number and Name)		Apt/Suite Number
City		State or Province
Country	ZIP/Postal Code	Telephone Number
Date of Birth (Month, Day, Year) <u>04/18/1962</u>	Place of Birth (City, State, Country) <u>Kabul, Afghanistan</u>	Are you a U.S. Citizen? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Social Security Number <u>616-60-3596</u>		A-Number (If any) <u>U.S. citizen</u>
<p><b>Part 2. Basis for Filing Affidavit of Support</b></p> <p>I am filing this affidavit of support because (check one):</p> <p>a. <input checked="" type="checkbox"/> I filed/am filing the alien relative petition. <u>Spouse / husband</u></p> <p>b. <input type="checkbox"/> I filed/am filing an alien worker petition on behalf of the intending immigrant, who is related to me as my _____. (relationship)</p> <p>c. <input type="checkbox"/> I have ownership interest of at least 5% _____. (name of entity which filed visa petition) which filed an alien worker petition on behalf of the intending immigrant, who is related to me as my _____. (relationship)</p> <p>d. <input type="checkbox"/> I am a joint sponsor willing to accept the legal obligations with any other sponsor(s).</p>		
<p>FOR AGENCY USE ONLY</p> <p>This Affidavit  <input type="checkbox"/> Meets  <input type="checkbox"/> Does not meet</p> <p>Requirements of Section 213A</p> <p>Officer or I.J. Signature</p> <p>Location</p> <p>Date</p>		

**Part 3. Information on the Immigrant(s) You Are Sponsorizing**

Last Name <i>Rahimi</i>	First Name <i>Mohammad</i>	Middle Name <i>Hamid</i>	
Date of Birth (Month, Day, Year) <i>4/10/73</i>	Sex <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	Social Security Number ( <i>If any</i> )	
Country of Citizenship <i>Afghanistan</i>	A-Number ( <i>If any</i> )		
Current Address (Street Number and Name) <i>10 Hashtrnagar Travel Agency 11A Diljan Plaza Suhneri Masjid Rd</i>	Apt/Suite Number	City <i>Peshawar</i>	
State/Province	Country <i>Pakistan</i>	ZIP/Postal Code	Telephone Number

List any spouse and/or children immigrating with the immigrant named above in this Part:

(Use additional sheet of paper if necessary.)

#### Part 4. Eligibility to Sponsor

To be a sponsor you must be a U.S. citizen or national or a lawful permanent resident. If you are not the petitioning relative, you must provide proof of status. To prove status, U.S. citizens or nationals must attach a copy of a document proving status, such as a U.S. passport, birth certificate, or certificate of naturalization, and lawful permanent residents must attach a copy of both sides of their Permanent Resident Card (Form I-551).

The determination of your eligibility to sponsor an immigrant will be based on an evaluation of your demonstrated ability to maintain an annual income at or above 125 percent of the Federal poverty line (100 percent if you are a petitioner sponsoring your spouse or child and you are on active duty in the U.S. Armed Forces). The assessment of your ability to maintain an adequate income will include your current employment, household size, and household income as shown on the Federal income tax returns for the 3 most recent tax years. Assets that are readily converted to cash and that can be made available for the support of sponsored immigrants if necessary, including any such assets of the immigrant(s) you are sponsoring, may also be considered.

The greatest weight in determining eligibility will be placed on current employment and household income. If a petitioner is unable to demonstrate ability to meet the stated income and asset requirements, a joint sponsor who *can* meet the income and asset requirements is needed. Failure to provide adequate evidence of income and/or assets or an affidavit of support completed by a joint sponsor will result in denial of the immigrant's application for an immigrant visa or adjustment to permanent resident status.

#### A. Sponsor's Employment

I am:

1.  Employed by Volit Services Group *(Provide evidence of employment)*  
Annual salary \$16,000 - or hourly wage \$9.00 (for 40 hours per week) *With overtime*
2.  Self employed \_\_\_\_\_ *(Name of business)*  
Nature of employment or business \_\_\_\_\_
3.  Unemployed or retired since \_\_\_\_\_

*2nd IHSS \$13,600 annual or hourly wage \$ 9.50*

#### B. Sponsor's Household Size

1. Number of persons (related to you by birth, marriage, or adoption) living in your residence, including yourself *(Do NOT include persons being sponsored in this affidavit.)* Number 1
2. Number of immigrants being sponsored in this affidavit *(Include all persons in Part 3.)* Number 1
3. Number of immigrants NOT living in your household whom you are obligated to support under a previously signed Form I-864. Number \_\_\_\_\_
4. Number of persons who are otherwise dependent on you, as claimed in your tax return for the most recent tax year. Number \_\_\_\_\_
5. Total household size. *(Add lines 1 through 4.)* Total 2

List persons below who are included in lines 1 or 3 for whom you previously have submitted INS Form I-864, *if your support obligation has not terminated.*

*(If additional space is needed, use additional paper)*

Name	A-Number	Date Affidavit of Support Signed	Relationship

Part 4. Eligibility to Sponsor *(Continued)*

## C. Sponsor's Annual Household Income

Enter total unadjusted income from your Federal income tax return for the most recent tax year below. If you last filed a joint income tax return but are using only your own income to qualify, list total earnings from your W-2 Forms, or, if necessary to reach the required income for your household size, include income from other sources listed on your tax return. If your *individual* income does not meet the income requirement for your household size, you may also list total income for anyone related to you by birth, marriage, or adoption currently living with you in your residence if they have lived in your residence for the previous 6 months, or any person shown as a dependent on your Federal income tax return for the most recent tax year, even if not living in the household. For their income to be considered, household members or dependents must be willing to make their income available for support of the sponsored immigrant(s) and to complete and sign Form I-864A, Contract Between Sponsor and Household Member. A sponsored immigrant/household member only need complete Form I-864A if his or her income will be used to determine your ability to support a spouse and/or children immigrating with him or her.

*You must attach evidence of current employment and copies of income tax returns as filed with the IRS for the most recent 3 tax years, for yourself and all persons whose income is listed below. See "Required Evidence" in Instructions. Income from all 3 years will be considered in determining your ability to support the immigrant(s) you are sponsoring.*

I filed a single/separate tax return for the most recent tax year.  
 I filed a joint return for the most recent tax year which includes only my own income.  
 I filed a joint return for the most recent tax year which includes income for my spouse and myself.  
 I am submitting documentation of my individual income (Forms W-2 and 1099).  
 I am qualifying using my spouse's income; my spouse is submitting a Form I-864A.

## Indicate most recent tax year

2004*(tax year)*

Sponsor's individual income

\$ 25,151

or

Sponsor and spouse's combined income

\$ \_\_\_\_\_

*(If spouse's income is to be considered, spouse must submit Form I-864A.)*

Income of other qualifying persons.

*(List names; include spouse if applicable. Each person must complete Form I-864A.)*

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ 0.00 25,151

## Total Household Income

Explain on separate sheet of paper if you or any of the above listed individuals were not required to file Federal income tax returns for the most recent 3 years, or if other explanation of income, employment, or evidence is necessary.

## D. Determination of Eligibility Based on Income

- I am subject to the 125 percent of poverty line requirement for sponsors.  
 I am subject to the 100 percent of poverty line requirement for sponsors on active duty in the U.S. Armed Forces sponsoring their spouse or child.
- Sponsor's total household size, from Part 4.B., line 5 2
- Minimum income requirement from the Poverty Guidelines chart for the year of 2005 is \$ 16,038 (year) for this household size.

If you are currently employed and your household income for your household size is equal to or greater than the applicable poverty line requirement (from line D.3.), you do not need to list assets (Parts 4.E. and 5) or have a joint sponsor (Part 6) unless you are requested to do so by a Consular or Immigration Officer. You may skip to Part 7, Use of the Affidavit of Support to Overcome Public Charge Ground of Admissibility. Otherwise, you should continue with Part 4.E.

**Part 4. Eligibility to Sponsor (Continued)****E. Sponsor's Assets and Liabilities**

Your assets and those of your qualifying household members and dependents may be used to demonstrate ability to maintain an income at or above 125 percent (or 100 percent, if applicable) of the poverty line if they are available for the support of the sponsored immigrant(s) and can readily be converted into cash within 1 year. The household member, other than the immigrant(s) you are sponsoring, must complete and sign Form I-864A, Contract Between Sponsor and Household Member. List the cash value of each asset *after* any debts or liens are subtracted. Supporting evidence must be attached to establish location, ownership, date of acquisition, and value of each asset listed, including any liens and liabilities related to each asset listed. See "Evidence of Assets" in Instructions.

Type of Asset	Cash Value of Assets (Subtract any debts)
Savings deposits	\$ 8
Stocks, bonds, certificates of deposit	\$ 8
Life insurance cash value	\$ 8
Real estate	\$ 480,000.00
Other (specify)	\$ 50,000.00
<b>Total Cash Value of Assets</b>	<b>\$ 530,000.00</b>

**Part 5. Immigrant's Assets and Offsetting Liabilities**

The sponsored immigrant's assets may also be used in support of your ability to maintain income at or above 125 percent of the poverty line if the assets are or will be available in the United States for the support of the sponsored immigrant(s) and can readily be converted into cash within 1 year.

The sponsored immigrant should provide information on his or her assets in a format similar to part 4.E. above. Supporting evidence must be attached to establish location, ownership, and value of each asset listed, including any liens and liabilities for each asset listed. See "Evidence of Assets" in Instructions.

**Part 6. Joint Sponsors**

If household income and assets do not meet the appropriate poverty line for your household size, a joint sponsor is required. There may be more than one joint sponsor; but each joint sponsor must individually meet the 125 percent of poverty line requirement based on his or her household income and/or assets, including any assets of the sponsored immigrant. By submitting a separate Affidavit of Support under Section 213A of the Act (Form I-864), a joint sponsor accepts joint responsibility with the petitioner for the sponsored immigrant(s) until they become U.S. citizens, can be credited with 40 quarters of work, leave the United States permanently, or die.

**Part 7. Use of the Affidavit of Support to Overcome Public Charge Ground of Inadmissibility**

Section 212(a)(4)(C) of the Immigration and Nationality Act provides that an alien seeking permanent residence as an immediate relative (including an orphan), as a family-sponsored immigrant, or as an alien who will accompany or follow to join another alien is considered to be likely to become a public charge and is inadmissible to the United States unless a sponsor submits a legally enforceable affidavit of support on behalf of the alien. Section 212(a)(4)(D) imposes the same requirement on an employment-based immigrant, and those aliens who accompany or follow to join the employment-based immigrant, if the employment-based immigrant will be employed by a relative, or by a firm in which a relative owns a significant interest. Separate affidavits of support are required for family members at the time they immigrate if they are not included on this affidavit of support or do not apply for an immigrant visa or adjustment of status within 6 months of the date this affidavit of support is originally signed. The sponsor must provide the sponsored immigrant(s) whatever support is necessary to maintain them at an income that is at least 125 percent of the Federal poverty guidelines.

*I submit this affidavit of support in consideration of the sponsored immigrant(s) not being found inadmissible to the United States under section 212(a)(4)(C) (or 212(a)(4)(D) for an employment-based immigrant) and to enable the sponsored immigrant(s) to overcome this ground of inadmissibility. I agree to provide the sponsored immigrant(s) whatever support is necessary to maintain the sponsored immigrant(s) at an income that is at least 125 percent of the Federal poverty guidelines. I understand that my obligation will continue until my death or the sponsored immigrant(s) have become U. S. citizens, can be credited with 40 quarters of work, depart the United States permanently, or die.*

## Part 7. Use of the Affidavit of Support to Overcome Public Charge Grounds

(Continued)

## Notice of Change of Address.

Sponsors are required to provide written notice of any change of address within 30 days of the change in address until the sponsored immigrant(s) have become U.S. citizens, can be credited with 40 quarters of work, depart the United States permanently, or die. To comply with this requirement, the sponsor must complete INS Form I-865. Failure to give this notice may subject the sponsor to the civil penalty established under section 213A(d)(2) which ranges from \$250 to \$2,000, unless the failure to report occurred with the knowledge that the sponsored immigrant(s) had received means-tested public benefits, in which case the penalty ranges from \$2,000 to \$5,000.

*If my address changes for any reason before my obligations under this affidavit of support terminate, I will complete and file INS Form I-865, Sponsor's Notice of Change of Address, within 30 days of the change of address. I understand that failure to give this notice may subject me to civil penalties.*

## Means-tested Public Benefit Prohibitions and Exceptions.

Under section 403(a) of Public Law 104-193 (Welfare Reform Act), aliens lawfully admitted for permanent residence in the United States, with certain exceptions, are ineligible for most Federally-funded means-tested public benefits during their first 5 years in the United States. This provision does not apply to public benefits specified in section 403(c) of the Welfare Reform Act or to State public benefits, including emergency Medicaid; short-term, non-cash emergency relief; services provided under the National School Lunch and Child Nutrition Acts; immunizations and testing and treatment for communicable diseases; student assistance under the Higher Education Act and the Public Health Service Act; certain forms of foster-care or adoption assistance under the Social Security Act; Head Start programs; means-tested programs under the Elementary and Secondary Education Act; and Job Training Partnership Act programs.

## Consideration of Sponsor's Income in Determining Eligibility for Benefits.

If a permanent resident alien is no longer statutorily barred from a Federally-funded means-tested public benefit program and applies for such a benefit, the income and resources of the sponsor and the sponsor's spouse will be considered (or deemed) to be the income and resources of the sponsored immigrant in determining the immigrant's eligibility for Federal means-tested public benefits. Any State or local government may also choose to consider (or deem) the income and resources of the sponsor and the sponsor's spouse to be the income and resources of the immigrant for the purposes of determining eligibility for their means-tested public benefits. The attribution of the income and resources of the sponsor and the sponsor's spouse to the immigrant will continue until the immigrant becomes a U.S. citizen or has worked or can be credited with 40 qualifying quarters of work, provided that the immigrant or the worker crediting the quarters to the immigrant has not received any Federal means-tested public benefit during any creditable quarter for any period after December 31, 1996.

*I understand that, under section 213A of the Immigration and Nationality Act (the Act), as amended, this affidavit of support constitutes a contract between me and the U. S. Government. This contract is designed to protect the United States Government, and State and local government agencies or private entities that provide means-tested public benefits, from having to pay benefits to or on behalf of the sponsored immigrant(s), for as long as I am obligated to support them under this affidavit of support. I understand that the sponsored immigrants, or any Federal, State, local, or private entity that pays any means-tested benefit to or on behalf of the sponsored immigrant(s), are entitled to sue me if I fail to meet my obligations under this affidavit of support, as defined by section 213A and INS regulations.*

## Civil Action to Enforce.

If the immigrant on whose behalf this affidavit of support is executed receives any Federal, State, or local means-tested public benefit before this obligation terminates, the Federal, State, or local agency or private entity may request reimbursement from the sponsor who signed this affidavit. If the sponsor fails to honor the request for reimbursement, the agency may sue the sponsor in any U.S. District Court or any State court with jurisdiction of civil actions for breach of contract. INS will provide names, addresses, and Social Security account numbers of sponsors to benefit-providing agencies for this purpose. Sponsors may also be liable for paying the costs of collection, including legal fees.

**Part 7. Use of the Affidavit of Support to Overcome Public Charge Grounds (Continued)**

I acknowledge that section 213.1(a)(1)(B) of the Act grants the sponsored immigrant(s) and any Federal, State, local, or private agency that pays any means-tested public benefit to or on behalf of the sponsored immigrant(s) standing to sue me for failing to meet my obligations under this affidavit of support. I agree to submit to the personal jurisdiction of any court of the United States or of any State, territory, or possession of the United States if the court has subject matter jurisdiction of a civil lawsuit to enforce this affidavit of support. I agree that no lawsuit to enforce this affidavit of support shall be barred by any statute of limitations that might otherwise apply, so long as the plaintiff initiates the civil lawsuit no later than ten (10) years after the date on which a sponsored immigrant last received any means-tested public benefits.

**Collection of Judgment.**

I acknowledge that a plaintiff may seek specific performance of my support obligation. Furthermore, any money judgment against me based on this affidavit of support may be collected through the use of a judgment lien under 28 U.S.C 3201, a writ of execution under 28 U.S.C 3203, a judicial installment payment order under 28 U.S.C 3204, garnishment under 28 U.S.C 3205, or through the use of any corresponding remedy under State law. I may also be held liable for costs of collection, including attorney fees.

**Concluding Provisions.**

I, Firiba Achezkai, certify under penalty of perjury under the laws of the United States that:

- (a) I know the contents of this affidavit of support signed by me;
- (b) All the statements in this affidavit of support are true and correct;
- (c) I make this affidavit of support for the consideration stated in Part 7, freely, and without any mental reservation or purpose of evasion;
- (d) Income tax returns submitted in support of this affidavit are true copies of the returns filed with the Internal Revenue Service; and
- (e) Any other evidence submitted is true and correct.

(Sponsor's Signature)

8/5/08 FA

(Date)

Subscribed and sworn to (or affirmed) before me this

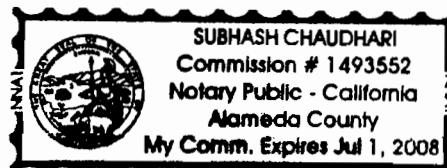
5<sup>th</sup> day of August, 2005  
(Month) (Year)

at Fremont, CA

My commission expires on 7/1/08

Subhash Chaudhari  
(Signature of Notary Public or Officer Administering Oath)

Notary Public  
(Title)

**Part 8. If someone other than the sponsor prepared this affidavit of support, that person must complete the following:**

I certify under penalty of perjury under the laws of the United States that I prepared this affidavit of support at the sponsor's request, and that this affidavit of support is based on all information of which I have knowledge.

Signature	Print Your Name	Date	Daytime Telephone Number
-----------	-----------------	------	--------------------------

Firm Name and Address

\*\*  
\*\*

## Authorization for Release of Federal Tax Data

This form will be used to validate federal tax return information that you provide to the Department of State. The information you supply will be compared to that shown on official Internal Revenue Service records. IRS data may include the return or a transcript of information contained on the return, as well as any other federal tax information concerning the years authorized. The name and mailing address of the Agency Office to where information is to be sent is:

Director, National Visa Center  
 United States Department of State  
 ATTN: CMR  
 32 Rochester Avenue  
 Portsmouth, NH 03801-2909



ISL2005654051

### To Be Completed by Sponsor

a) Sponsor Name: Firiba Achezkai Social Security Number: 616-60-3596

b) Spouse's Name: \_\_\_\_\_ Social Security Number: \_\_\_\_\_  
 (if joint return filed)

c) Current Street Address: 6316 Livorno Way  
 City: Elk Grove State: CA Zip Code: 95757

d) Tax Years included with Affidavit of Support: 2004 2003 2002

Your signature(s) indicates that you authorize the Internal Revenue Service to provide information with respect to your Form 1040 tax returns for the above years to the agency designated above. If a joint return was filed, either the husband or wife must sign.

**Do not sign and date this release form until you are ready to mail it  
 with all the documents requested by the National Visa Center**

\_\_\_\_\_  
 Signature of Sponsor

8/5/05  
 Date

\_\_\_\_\_  
 Signature of Spouse

\_\_\_\_\_  
 Date

### Privacy Act Notice

We ask for the information on this form to establish our right to gain access to your tax form or transcript under the Internal Revenue Code including sections 6130 and 6109. We need to gain access to your tax information or transcript in order to verify the accuracy of the information you have provided. If you do not provide the authorization, we may not be able to process the VISA application. We may give the information to the Department of Justice or other appropriate law enforcement officials, as provided by law. The information gathered may also be used for internal IRS compliance purposes.

**Do not write in this space**

Post ISLAMABAD

TY \_\_\_\_\_

TY \_\_\_\_\_

TY \_\_\_\_\_



SACRAMENTO COUNTY  
DEPARTMENT OF

*Health & Human Services*

Jim Hunt, Director

Senior & Adult Services  
Bert Bettis, Division Manager

In-Home Supportive Services  
Sharon Rehm, Program Manager  
South Area Office: (916) 874-9471  
North Area Office: (916) 874-4200  
Fax: 874-9682

1992 – 2002... "10 Years of Healing, Protecting, and Caring"

July 27, 2005

Firiba Achezkai  
6316 Livorno Way  
Elk Grove, CA 95757

To Whom It May Concern:

Re: Job Verification

This letter is to inform you that **Firiba Achezkai** with SSN **616-60-3596** is a care provider with IHSS since December 1997. Her rate of pay is \$9.50/hr and is working 146.1 hours per month.

Feel free to contact our office at (916) 874-9805 or (916) 874-4201 if you have any further questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Sota C. M." followed by a large, flowing cursive signature.

Account Clerk II



July 28, 2005

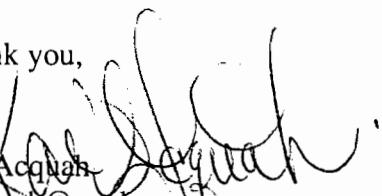
Volt Services Group  
3011 Laguna Blvd  
Elk Grove, CA 95758  
(916) 399-5370

To: Whom it may concern

This letter is to confirm employment for Firiba Acitekzai (616-60-3596) at Apple Computer/ DR department through Volt Services Group. Her shift begins at 6:00am and ends at 2:45pm, and she is paid \$9.00/hr. She has worked for Volt since March of 2005. Volt employee's of Apple Computer work 40 regular hours per week, Monday-Friday. Volt employees are paid weekly, by check (every Friday).

Should you have any questions or need further information, please feel free to contact me onsite at Apple Computer at (916) 399-5370.

Thank you,

  
Kai Acquan  
kacquan@apple.com  
Program Coordinator  
Volt Services Group at Apple Computer

## EXHIBIT 4

National Visa Center  
32 Rochester Avenue  
Portsmouth, NH 03801-2909

September 22, 2005



NADIA FARAH  
LAW OFFICES  
39159 PASEO PADRE PKWY. #211  
FREMONT, CA 94538

Dear MOHAMMAD RAHIMI:

The following information pertains to your interest in immigrating to the United States of America.

The National Visa Center has completed its processing of your case and forwarded your file to the designated American Embassy/Consulate. The American Embassy/Consulate listed below will contact you for further information in regards to your visa interview. Note that certain visa categories will not be scheduled for an interview until the case's priority date is eligible. **Please do not phone the Embassy/Consulate where your case will be processed. You will be contacted when your priority date has been reached and a number is available. To check on your priority date, please use [http://travel.state.gov/visa/frvi\\_bulletincurrent.html](http://travel.state.gov/visa/frvi_bulletincurrent.html) or our automated service at (202) 663-1541.**

All beneficiaries that have a sponsor filing the form I-864 Affidavit of Support on their behalf, are advised to bring the most current three years of tax documents and supporting financial proof that is current at the **date of the visa interview**.

Your case has been forwarded to:

EMBASSY OF THE UNITED STATES OF AMERICA  
DIPLOMATIC ENCLAVE, RAMNA 5  
ISLAMABAD  
PAKISTAN

Case Number: ISL2005654051  
PA Name: MOHAMMAD RAHIMI  
\*Preference Category: CR1 - CONDITIONAL SPOUSE OF U.S. CITIZEN  
Your priority date: 02MAR2005  
Foreign State Chargeability: AFGHANISTAN

\*If your preference category is IR1 or CR1 and you are immigrating with your children (under the age of 21) or your preference category is IR5 and you are immigrating with your spouse please read the following information carefully. If your family member did not receive this letter with their name next to the PA name field, you must bring the original approval notice for their petition to the visa interview. Unless your family member's petition has been sent to the U.S. Embassy, there is no guarantee that your family member will be interviewed with you.

## EXHIBIT 5

P.546

[nadiaf@sbcglobal.net](mailto:nadiaf@sbcglobal.net)

**From:** [REDACTED]  
**To:** "nadia farah" <nadia@nadiafarah.com>  
**Sent:** Thursday, April 13, 2006 10:38 PM  
**Subject:** RE: Case No: ISL2005654051- Mohammad Hamid Rahimi

This case is pending for administrative review. Once it is done, we will contact the beneficiary for the final processing of this case. The minimum time required for this processing is 45 days, however, if it gets delayed, the maximum time can be indefinite, a time frame that is not possible for us predict. We contact an applicant as soon as this processing is complete.

-----Original Message-----

**From:** nadia farah [mailto:nadia@nadiafarah.com]  
**Sent:** Thursday, April 13, 2006 9:55 PM  
**To:** Islamabad, IV  
**Subject:** Case No: ISL2005654051- Mohammad Hamid Rahimi

Dear Sir:

As you know we represent the above-referenced applicant for immigrant visa, who was petitioned by his U.S. citizen spouse. Over 3 months ago, Mr. Rahimi was interviewed and was told to come back in 45 days, he did so and again was told to come back in 45 days, he did so. He was told for the 3rd time to come back in 45 days. Please inform us of the status of his immigrant visa since he has already been interviewed and all documents are in order.

We look forward to hearing from you.

Sincerely,  
Nadia Farah

[nadiaf@sbcglobal.net](mailto:nadiaf@sbcglobal.net)

**From:** "Islamabad, IV" [REDACTED]  
**To:** "nadia farah" <nadia@nadiafarah.com>  
**Sent:** Thursday, July 06, 2006 11:41 PM  
**Subject:** RE: Mohammad Hamid Rahimi- ISL 2005654051

This case is pending for administrative review. Once it is done, we will contact the beneficiary for the final processing of this case. The minimum time required for this processing is 45 days, however, if it gets delayed, the maximum time can be indefinite, a time frame that is not possible for us predict. We contact an applicant as soon as this processing is complete.

-----Original Message-----

**From:** nadia farah [mailto:nadia@nadiafarah.com]  
**Sent:** Thursday, July 06, 2006 3:07 AM  
**To:** Islamabad, IV  
**Subject:** Re: Mohammad Hamid Rahimi- ISL 2005654051

Any news on this case? My client wants to know why it has taken so long. If there is anything we can do to expedite it, please let me know.

As always, thank you for your help.  
Sincerely,

Nadia Farah

----- Original Message -----

**From:** Islamabad, IV

**To:** nadia farah  
**Sent:** Thursday, May 18, 2006 12:17 AM  
**Subject:** RE: Mohammad Hamid Rahimi- ISL 2005654051

This case is pending a security clearance. Once it is done we will contact the applicant for the final processing of this case.

-----Original Message-----

**From:** nadia farah [mailto:nadia@nadiafarah.com]  
**Sent:** Wednesday, May 17, 2006 9:36 PM  
**To:** Islamabad, IV  
**Subject:** RE: Mohammad Hamid Rahimi- ISL 2005654051

Dear Consul:

In follow up to our April 13, 2006 inquiry, please advise us if Mr. Rahimi's immigrant visa, referenced-above is ready for pick up. We look forward to hearing from you very soon and as always, thank you for your courtesy and prompt attention to this matter.

Sincerely,

NADIA FARAH

nadiaf@sbcglobal.net

**From:** "Islamabad, IV" <PakIVInfo@state.gov>  
**To:** "nadia farah" <nadia@nadiafarah.com>  
**Sent:** Thursday, May 18, 2006 12:17 AM  
**Subject:** RE: Mohammad Hamid Rahimi- ISL 2005654051

This case is pending a security clearance. Once it is done we will contact the applicant for the final processing of this case.

-----Original Message-----

**From:** nadia farah [mailto:nadia@nadiafarah.com]  
**Sent:** Wednesday, May 17, 2006 9:36 PM  
**To:** Islamabad, IV  
**Subject:** RE: Mohammad Hamid Rahimi- ISL 2005654051

Dear Consul:

In follow up to our April 13, 2006 inquiry, please advise us if Mr. Rahimi's immigrant visa, referenced-above is ready for pick up. We look forward to hearing from you very soon and as always, thank you for your courtesy and prompt attention to this matter.

Sincerely,

NADIA FARAH

**DANIEL E. LUNGREN**  
3RD DISTRICT, CALIFORNIA

**COMMITTEE ON  
HOMELAND SECURITY**

**Chairman:**  
**SUBCOMMITTEE ON ECONOMIC SECURITY,  
INFRASTRUCTURE PROTECTION,  
AND CYBERSECURITY**

**COMMITTEE ON  
THE JUDICIARY**

**COMMITTEE ON  
THE BUDGET**

WASHINGTON OFFICE  
2448 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
(202) 225-5715  
FAX: (202) 226-1298

**Congress of the United States**  
**Washington, DC 20515**

**DISTRICT OFFICE:**  
11246 Gold Express Drive, Suite 101  
GOLD RIVER, CA 95670  
(916) 859-9906  
FAX: (916) 859-9976  
**E-MAIL:** Visit our Website  
[www.house.gov/tunrgren](http://www.house.gov/tunrgren)

August 22, 2006

Firiba Achezkai  
6316 Livorno Way  
Elk Grove, CA 95757

Dear Ms. Achekzai:

Thank you for contacting Congressman Dan Lungren concerning the U.S. Embassy in Islamabad, Pakistan, with regards to the immigrant visa application for your husband, Mr. Mohammad Rahimi. I have been in correspondence with the embassy regarding his case.

According to the embassy, your husband's case is still pending the clearance of their routine security checks. These checks are required by the Department of State to be conducted on all people with pending immigration applications.

As each application must be processed on a case-by-case basis and in accordance with State Department procedures, an estimated completion time, unfortunately, cannot be provided. Regrettably, our congressional office does not have the authority to expedite the processing time. However, the embassy is aware of the ongoing issue and does monitor all cases with the pending checks very closely. As soon as the checks are cleared, your husband's case will be reviewed for a decision. The embassy will notify your husband once a decision has been made.

I regret that this response from the embassy was not what you had anticipated. However, should you have future concerns related to the actions of a federal agency, do not hesitate to contact our office for assistance.

Sincerely,

Oliver Chu  
Constituent Services Manager

nadiaf@sbcglobal.net

P-546

**From:** "Islamabad, IV" <PakIVInfo@state.gov>  
**To:** "nadia farah" <nadia@nadiafarah.com>  
**Sent:** Tuesday, September 12, 2006 9:53 PM  
**Subject:** RE: Mohammad Hamid Rahimi- ISL2005654051

This case is still pending for admin processing.

-----Original Message-----

**From:** nadia farah [mailto:nadia@nadiafarah.com]  
**Sent:** Tuesday, September 12, 2006 10:36 PM  
**To:** Islamabad, IV  
**Subject:** Mohammad Hamid Rahimi- ISL2005654051

Dear Sir:

We are respectfully requesting a status update on Mr. Rahimi's immigrant visa. Has the name-check cleared yet? Please advise as soon as possible.

Sincerely,

NADIA FARAH

**nadiaf@sbcglobal.net**

---

**From:** "nadia farah" <nadia@nadiafarah.com>  
**To:** "Islamabad, IV" <PakIVInfo@state.gov>  
**Sent:** Monday, October 23, 2006 1:52 PM  
**Subject:** Mohammad Hamid Rahimi ISL2005654051

Dear Consul:

As you know we represent Mr. Rahimi with respect to his immigration matter. We understand that his case is pending a name check, but we learned that your office has his date of birth as October 4, 1973, where the correct date is April 10, 1973. Could you please confirm the correct date of birth as stated on the form DS-230 Parts I&II. We look forward to hearing from you soon.

Sincerely,

NADIA FARAH

nadiaf@sbcglobal.net

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**From:** "nadia farah" <nadia@nadiafarah.com>  
**To:** "Islamabad, IV" <PakIVInfo@state.gov>  
**Sent:** Wednesday, November 01, 2006 1:17 PM  
**Subject:** Re: Mohammad Hamid Rahimi- ISL2005654051

Hello again,

I was wondering if you could give us an update on the status of this case. I look forward to hearing from you very soon.

Sincerely,  
Nadia Farah

----- Original Message -----

**From:** Islamabad, IV  
**To:** nadia farah  
**Sent:** Tuesday, September 12, 2006 8:53 PM  
**Subject:** RE: Mohammad Hamid Rahimi- ISL2005654051

This case is still pending for admin processing.

-----Original Message-----

**From:** nadia farah [mailto:nadia@nadiafarah.com]  
**Sent:** Tuesday, September 12, 2006 10:36 PM  
**To:** Islamabad, IV  
**Subject:** Mohammad Hamid Rahimi- ISL2005654051

Dear Sir:

We are respectfully requesting a status update on Mr. Rahimi's immigrant visa. Has the name-check cleared yet? Please advise as soon as possible.

Sincerely,

NADIA FARAH

Law Offices of...

*Nadia Farah*

39159 Paseo Padre Pkwy.  
Suite 211  
Fremont, CA 94538  
Tel: 510.494.8156  
Fax: 510.494.8158

November 7, 2006

Embassy of the United States  
Diplomatic Enclave, Ramna 5  
Islamabad, Pakistan

RE: MOHAMMD RAHIMI  
ISL2005654051

Dear Consul:

As you know, we represent Mr. Rahimi and his wife Mrs. Firiba Achezkai. Mr. Rahimi was interviewed at your office in 2005 and to-date he has not received his immigrant visa. We understand from your email responses that this is an administrative processing, but Mrs. Achezkai is very eager for her husband to join her. If there is any thing we can do to expedite or facilitate the administrative processing, please do not hesitate to ask.

We look forward to hearing from you either via facsimile or email ([nadia@nadiafarah.com](mailto:nadia@nadiafarah.com)) as soon as possible. As always, we thank you for your courtesy and prompt attention to this matter.

Sincerely,

*NADIA FARAH*

nadiaf@sbcglobal.net

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**From:** "nadia farah" <nadia@nadiafarah.com>  
**To:** "Islamabad, IV" <PakIVInfo@state.gov>  
**Sent:** Tuesday, December 26, 2006 3:11 PM  
**Subject:** Mohammad Hamid Rahimi- ISL2005654051

Dear Sir,

I have made several attempts to get an update on Mr. Rahimi, referenced above, but I have not received any response from you. As you know, Mr. Rahimi was interviewed in 2005, his wife, Mrs. Firibi Achezkzai has spoken with Washington, D.C. and was told that his clearance went through three times, but to-date, he has not received his visa. We are rather puzzled on the delay of this case and if there is anything we can do to expedite this, please do not hesitate to contact us.

As always, thank you for your courtesy and promptness in handling our cases.

Sincerely,

NADIA FARAH

**nadiaf@sbcglobal.net**

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**From:** "Islamabad, IV" <PakIVInfo@state.gov>  
**To:** "nadia farah" <nadia@nadiafarah.com>  
**Sent:** Tuesday, January 09, 2007 2:13 AM  
**Subject:** RE: Mohammad Hamid Rahimi- ISL 2005654051

This case is pending for administrative processing. Once it is done, we will contact the beneficiary for the final processing of this case. The minimum time required for this processing is 45 to 60 days, however, if it gets delayed, the maximum time can be indefinite, a time frame that is not possible for us to predict. We contact an applicant as soon as this processing is complete.

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**From:** nadia farah [mailto:nadia@nadiafarah.com]  
**Sent:** Tuesday, January 09, 2007 10:59 AM  
**To:** Islamabad, IV  
**Subject:** Re: Mohammad Hamid Rahimi- ISL 2005654051

Dear Sir,

This is my 3rd email messages to which I have not received any response. I made an attempt to call your office right now and was transferred by the operator, but there was no answer and when I tried again, no one would answer the telephone the second time. I understand that Mr. Rahimi's security clearance has been completed, as the visa specialist in the United States told my client, but he still has not been contacted to complete the final processing. Please inform us of the status of this case as soon as possible.

As always, we thank you for your courtesy and prompt attention to this matter.  
 SIncerely,

NADIA FARAH

----- Original Message -----

**From:** Islamabad, IV  
**To:** nadia farah  
**Sent:** Wednesday, May 17, 2006 11:17 PM  
**Subject:** RE: Mohammad Hamid Rahimi- ISL 2005654051

This case is pending a security clearance. Once it is done we will contact the applicant for the final processing of this case.

-----Original Message-----

**From:** nadia farah [mailto:nadia@nadiafarah.com]  
**Sent:** Wednesday, May 17, 2006 9:36 PM  
**To:** Islamabad, IV  
**Subject:** RE: Mohammad Hamid Rahimi- ISL 2005654051

Dear Consul:

In follow up to our April 13, 2006 inquiry, please advise us if Mr. Rahimi's immigrant visa, referenced-above is ready for pick up. We look forward to hearing from you very soon and as always, thank you for your courtesy and prompt attention to this matter.

Sincerely,

NADIA FARAH

**nadiaf@sbcglobal.net**

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**From:** "nadia farah" <nadia@nadiafarah.com>  
**To:** [REDACTED]  
**Sent:** Tuesday, June 19, 2007 11:23 AM  
**Subject:** Mohammad Hamid Rahimi-ISL2005654051

Dear Sir,

In January 2007, in response to our followup request, you informed us that Mr. Rahimi's case is under administrative processing. To-date, we have not heard any news from you and would appreciate an update on the progress in this case. Please contact me via email at [nadia@nadiafarah.com](mailto:nadia@nadiafarah.com)

As always, we thank you for your courtesy and prompt attention to this matter.

Sincerely,

NADIA FARAH

FIRIBA ACHEKZAI  
6316 Livorno Way  
Elk Grove, Ca 95757  
(916) 714-9271

JULY 10, 2007

Congressman Daniel E. Lungren  
11246 Gold Express Drive, Suite 101  
Gold River, CA 95670

RE: Problems with the Embassy of the United States in Islamabad  
Case Number: ISL2005654051

Dear Mr. Lungren

In August 2006, in response to my request for your help, your Constituent Services Manager, Mr. Oliver Chu, sent me the enclosed correspondence stating that my husband's case was pending with the Embassy of Islamabad once the checks have been cleared.

My attorney has contacted Islamabad and the checks have been cleared, but the matter is under administrative review. I am rather puzzled as to why they are holding my husband's case and now it has been 2 1/2 years since his interview. Approximately one month ago, I personally went to the Embassy and inquired about the status of the case, but they could not give me an answer. I respectfully request that you follow up on this case and find out why my husband's case has been delayed for so long.

I urge your prompt attention to this matter. I am desperate to have my husband with me immediately. My attorney, Nadia Farah has corresponded with them and is awaiting a response. If you need to contact my attorney, please do so at the Law Offices of Nadia Farah, 39159 Paseo Padre Pkwy #211, Fremont, CA 94538.

Sincerely,

A large black rectangular redaction box covering a signature.

FIRIBA ACHEKZAI  
ENCL.

nadiaf@sbcglobal.net

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**From:** "Islamabad, IV" <PakIVInfo@state.gov>  
**To:** "nadia farah" <nadia@nadiafarah.com>  
**Sent:** Monday, September 24, 2007 12:18 AM  
**Subject:** RE: Mohammad Hamid Rahimii- ISL2005654051

This case is pending for administrative processing. Once it is done, we will contact the beneficiary for the final processing of this case. The minimum time required for this processing is 45 to 60 days, however, if it gets delayed, the maximum time can be indefinite, a time frame that is not possible for us to predict. We contact an applicant as soon as this processing is complete. Also, please note that as long as a case is pending for admin processing, our response would remain the same.

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**From:** nadia farah [mailto:nadia@nadiafarah.com]  
**Sent:** Saturday, September 22, 2007 2:02 AM  
**To:** Islamabad, IV  
**Subject:** Mohammad Hamid Rahimii- ISL2005654051

Dear Sir,  
As you know we represent Mrs. Achezkai regarding the above-referenced matter to have her husband join her as soon as possible. Mr. Rahimi was interviewed in February 2006 and at that your office retained his passport. We have made many inquiries regarding this matter and each time we are told that it under administrative processing. It is almost two years now and Mrs. Achezkai is very upset because her husband is in Pakistan without a passport (you have it) and she is here without her husband. We respectfully offer our help, if any to assist you in expediting this matter. Please let us know what can we do in the United States to facilitate this process. We look forward to hearing from you very soon.

Sincerely,

NADIA FARAH

FIRIBA ACHEKZAI  
6316 LIVORNO WAY  
ELK GROVE, CA 95757  
916-714-9271

October 5, 2007

Senator Barbara Boxer  
501 I Street, Suite 7-600  
Sacramento, CA 95814

RE: MY HUSBAND MOHAMMAD HAMID RAHIMI  
ISL 2005654051

Dear Senator Boxer:

I am citizen of the United States. On January 7, 2005, I married my husband Mohammad Hamid Rahimi in Pakistan and upon my return to the United States; I filed an I-130 petition for him. The petition was approved and through the National Visa Center, the file was completed and sent to Islamabad Pakistan.

In February 2006, my husband was interviewed and everything was approved, but he was told that the name check had not been cleared yet. He was told to return in 45 to 60 days. To-date, my husband has not received his immigrant visa and this has created a major problem in our marriage. I am here and cannot live in Pakistan. I made several trips to Pakistan and each time I visited the Consulate. I inquired about the status of my husband's case and I was told that it is pending.

I truly need your help in this matter. It is almost two years since his interview and his case is still pending. My attorney has sent several emails to the Embassy in Islamabad and each time she is told that it is pending administrative review. In their last email, they stated that "as long as a case is pending for admin processing, our response would remain the same."

I am very upset and do not know where to turn to. I urge your assistance in inquiring why this case is taking so long after he was interviewed and told that everything was okay. Please contact me as soon as possible on my cell phone at 510-651-7020, or the above address and telephone number.

I thank you in advance for your courtesy and prompt attention to this matter.

Sincerely,

FIRIBA ACHECKZAI

Law Offices of...

Nadia Farah

December 11, 2007

VIA FACSIMILE  
202-663-3899

39159 Paseo Padre Pkwy.  
Suite 211  
Fremont, CA 94538  
Tel: 510.494.8156  
Fax: 510.494.8158

Visa Specialist

**RE: PETITIONER: FIRIBA ACHEKZAI  
BENEFICIARY: MOHAMMAD HAMID RAHIMI  
ISL 2005654051**

Dear Sir or Madam:

Please be advised that our office assisted Ms. Acheckzai, referenced above to petition for her husband Mohammad Hamid Rahimi.

On January 7, 2005, Ms. Acheckzai and Mr. Rahimi became married in Pakistan. Subsequently Ms. Acheckzai filed a petition for her husband and the petition was approved. Through National Visa Center, the file was prepared and forwarded to Pakistan.

In February 2006, Mr. Rahimi was interviewed and everything was approved, but he was told that the name check had not been cleared yet. He was told to return in 45 to 60 days.

To-date, Mr. Rahimi has not received his immigrant visa and every time we inquire with the Embassy in Islamabad, we are told that due to Administrative Processing, the case is still pending. It is almost two years passed his interview and still he has not received his immigrant visa.

This has created a major problem in their marriage as she cannot live in Pakistan and he is not allowed to come to the United States without his immigrant visa. She made several trips to Pakistan and each time she visited the Consulate. Each time, she was told that the matter is pending. Every time we sent email messages and faxes, we received the same response. Ms. Acheckzai sent a letter to Senator Barbara Boxer, but no response is received yet. It is a frustrating process for Ms. Acheckzai and for our office since we have done everything in our power to get an answer from Pakistan.

We urgently need your help and wish to hear from you about this case. We need to know why there is such a long delay for a simple immigrant visa. She is a citizen of the United States and entitled to have her husband live with her. In their last email, they stated that

Law Offices of...

*Nadia Farah*

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39159 Paseo Padre Pkwy.  
Suite 211  
Fremont, CA 94538  
Tel: 510.494.8156  
Fax: 510.494.8158

"as long as a case is pending for admin processing, our response would remain the same", completely lacking any estimation of the processing time.

We thank you in advance for your courtesy and prompt attention to this matter and should you wish to discuss this matter, please contact us at the above address or telephone number. If you wish to contact me through email, please send your response to [nadia@nadiafarah.com](mailto:nadia@nadiafarah.com)

Thank you again for your consideration.

Sincerely,

*Nadia Farah*

NADIA FARAH

ENCL.

United States Senate  
HART SENATE OFFICE BUILDING  
SUITE 112  
WASHINGTON, DC 20510-0505  
(202) 224-3553  
<http://boxer.senate.gov/contact>

December 13, 2007

Ms. Firiba Acheckzai  
6316 Livorno Way  
Elk Grove, California 95757

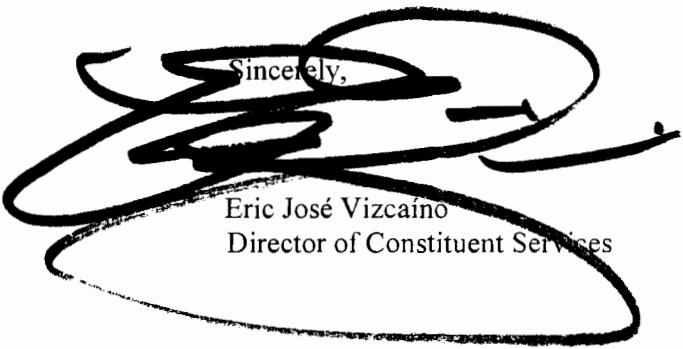
Dear Ms. Acheckzai:

Enclosed, please find the correspondence Senator Boxer received from the U.S. Embassy in Islamabad, Pakistan regarding an inquiry that was made on your behalf. It is my understanding that the immigrant visa application filed on behalf of your husband, Mr. Mohammad Hamid Rahimi, is pending a security clearance.

Since the terrorist attacks of September 11, 2001, the State Department has been engaged with other U.S. government agencies in an extensive and ongoing review of visa-issuing practices, including the clearance procedures as they relate to the security of U.S. borders. As a result, there has been a delay in the issuance of visas in certain countries. Visa applicants affected by these procedures are informed of the need for additional screening at the time of application and should expect substantial delays.

The time needed for adjudication will continue to be difficult to predict, as necessary new procedures are refined. Due to the sensitive nature of these clearances, U.S. security will not be compromised and there are no expedites or information being released to third parties, including congressional offices. If you wish to find more information about these clearances, you may visit the Department of State website at [www.travel.state.gov](http://www.travel.state.gov).

Thank you for writing to Senator Boxer. I regret that we are unable to be of more assistance regarding this matter.

Sincerely,  
  
Eric José Vizcaíno  
Director of Constituent Services

EJV: sy



*Embassy of the United States of America  
Islamabad, Pakistan*

**Consular Section**

December 13, 2007

The Honorable Barbara Boxer

Attn: Shabnaz Yousefia

Re: Mohammad Hamid Rahimi ISL2005654051

Dear Senator Boxer:

This is in response to your inquiry of November 21, 2007, concerning the immigrant visa case of Mr. Mohammad Hamid Rahimi. Your constituent, Ms. Firiba Acheckzai, contacted you regarding this case.

This case continues to undergo necessary administrative processing as part of the security clearance procedure. It is difficult to predict the amount of time that the clearance process will take, but please rest assured that we are handling Mr. Rahimi's case as expeditiously as possible. We recognize that this process can be frustrating for applicants, and regret any inconvenience. We are making several procedural changes in an attempt to make this process less onerous.

Once the administrative processing is complete, we will contact the applicant.

We hope this information is helpful.

Sincerely,

A handwritten signature in black ink, appearing to read "John" or "John S." followed by a stylized surname.

Consul General

**nadia farah**

**From:** "Islamabad, IVQuery" <PakIVQuery@state.gov>  
**To:** "nadia farah" <nadia@nadiafarah.com>  
**Sent:** Monday, December 17, 2007 9:04 PM  
**Subject:** RE: MOHAMMAD HAMID RAHIMI - ISL 2005654051

Dear Attorney,

Currently this case is pending for an administrative processing. We will contact the beneficiary in this case once this processing has completed and we are ready for the final processing of this case. Unfortunately it is not possible for us to predict the time this processing still may take.

Yours truly,  
 Immigrant Visa Unit

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**From:** nadia farah [mailto:nadia@nadiafarah.com]  
**Sent:** Tuesday, December 18, 2007 1:01 AM  
**To:** Islamabad, IVQuery  
**Subject:** MOHAMMAD HAMID RAHIMI - ISL 2005654051

**RE: PETITIONER: FIRIBA ACHEKZAI  
 BENEFICIARY: MOHAMMAD HAMID RAHIMI  
 ISL 2005654051**

Dear Sir or Madam:

Please be advised that our office assisted Ms. Acheckzai, referenced above to petition for her husband Mohammad Hamid Rahimi.

On January 7, 2005, Ms. Acheckzai and Mr. Rahimi became married in Pakistan. Subsequently Ms. Acheckzai filed a petition for her husband and the petition was approved. Through National Visa Center, the file was prepared and forwarded to Pakistan.

In February 2006, Mr. Rahimi was interviewed and everything was approved, but he was told that the name check had not been cleared yet. He was told to return in 45 to 60 days.

To-date, Mr. Rahimi has not received his immigrant visa and every time we inquire with the Embassy in Islamabad, we are told that due to Administrative Processing, the case is still pending. It is almost two years since his interview and still he has not received his immigrant visa.

This has created a major problem in their marriage as she cannot live in Pakistan and he is not allowed to come to the United States without his immigrant visa. She made several trips to Pakistan and each time she visited the Embassy to inquire about his case, she was told that the matter is pending. Every time we sent email messages, we received the response. Ms. Acheckzai sent a letter to Senator Barbara Boxer, and again was told that clearance was pending. It is a frustrating process for Ms. Acheckzai and for our office since we have done everything in our power to get an answer from Pakistan.

We urgently need your help and wish to hear from you about this case. We need to know why there is such a long delay for a simple immigrant visa. She is a citizen of the United States and entitled to have her husband live with her. In their last email, the response was that "as long as a case is pending for

admin processing, our response would remain the same". Ms. Achezkai received an email from Pakistan yesterday stating that we can contact you if more than 10 months has passed since the interview and definitely 10 months has passed.

We thank you in advance for your courtesy and prompt attention to this matter and should you wish to discuss this matter, please contact us at the above address or telephone number. If you wish to contact me through email, please send your response to [nadia@nadiafarah.com](mailto:nadia@nadiafarah.com)

Thank you again for your consideration.

Sincerely,

NADIA FARAH

## EXHIBIT 6

U.S. Department of Homeland Security  
 U.S. Citizenship and Immigration Services  
*Domestic Operations of Directorate*  
 Washington, DC 20529



U.S. Citizenship  
 and Immigration  
 Services

**FEB 4 - 2008**

HQ 70/23 & 70/28.1

## Interoffice Memorandum

**TO:** Field Leadership

**FROM:** Michael Ayles  
 Associate Director, Domestic Operations

**SUBJECT:** Revised National Security Adjudication and Reporting Requirements

### Background

U.S. Citizenship and Immigration Services (USCIS) conducts background checks on all applicants, petitioners, and beneficiaries seeking immigration benefits. This is done both to enhance national security and to ensure the integrity of the immigration process. USCIS has previously mandated that FBI name checks be completed and resolved before any positive adjudication can proceed on certain form types. This memorandum modifies existing guidance for applications where statutory immigration provisions allow for the detention and removal of an alien who is the subject of actionable information that is received from the FBI or other law enforcement agencies after approval of the application.

USCIS is issuing revised guidance in response to recommendations of the DHS Office of Inspector General (OIG-06-06) regarding the need to align the agency's background and security check policies with those of U.S. Immigration and Customs Enforcement (ICE). The *Background and Security Investigations in Proceedings Before Immigration Judges and the Board of Immigration Appeals* regulations prevent immigration judges and the Board of Immigration Appeals (BIA) from granting benefits to aliens before DHS confirms that all background and security checks have been completed. See 8 C.F.R. § 1003.47(g); 8 C.F.R. § 1003.1(d)(6)(i). In the context of removal proceedings, ICE has determined that FBI fingerprint checks and Interagency Border Inspection Services (IBIS) checks are the required security checks for purposes of the applicable regulations. In the unlikely event that FBI name checks reveal actionable information after the immigration judge grants an alien permanent resident status, DHS may detain and initiate removal proceedings against the permanent resident. See 8 U.S.C. § 1227; *see also* 8 U.S.C. § 1256 (allowing DHS to rescind an alien's adjustment of status).

**Revised National Security Adjudication and Reporting Requirements**  
Page 2

**Revised Guidance**

A definitive FBI fingerprint check and the IBIS check must be obtained and resolved before an Application for Adjustment of Status (I-485), Application for Waiver of Ground of Inadmissibility (I-601), Application for Status as a Temporary Resident Under Section 245A of the Immigration and Nationality Act (I-687), or Application to Adjust Status from Temporary to Permanent Resident (Under Section 245A of Public Law 99-603) (I-698) is approved. USCIS will continue to initiate FBI name checks when those applications are received. Where the application is otherwise approvable and the FBI name check request has been pending for more than 180 days, the adjudicator shall approve the I-485, I-601, I-687, or I-698 and proceed with card issuance. The FBI has committed to providing FBI name check results within this timeframe.

There is no change in the requirement that FBI fingerprint check, IBIS check and FBI name check results be obtained and resolved prior to the adjudication of an Application for Naturalization (N-400).

Pending further guidance regarding post-audit reporting and tracking requirements and modifications to associated quality assurance procedures, applications approved pursuant to this memorandum shall be held at the adjudicating office. If derogatory or adverse information is received from the FBI after the application is approved, USCIS will determine if rescission or removal proceedings are appropriate and warranted.

Subject to the reporting requirements set forth in the February 16, 2007, memorandum titled "FBI Name Checks Policy and Process Clarification for Domestic Operations," an application or petition may be denied, dismissed, administratively closed, withdrawn, or referred to the Immigration Court at any time.

Questions regarding this memorandum should be directed through appropriate supervisory and operational channels. Local offices should work through their chain of command.

**Distribution List:**

Regional Directors

Service Center Directors

District Directors (except foreign)

Field Officer Directors (except foreign)

National Benefits Center Director